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BY  
YUSUF MEHERALLY



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## PUBLISHERS' NOTE

Within the pages of this book you will find fragments from the history of India's struggle for freedom—a history of suffering and sacrifice, of an endurance and steadfastness that tyranny could not shake. Reading through its pages you will once again realise how dearly some of India's sons paid for our liberty.

These golden documents about the trials and sacrifices of some of India's sons are taken from a variety of sources—newspaper reports, autobiographical descriptions of experiences, statements in court, eye-witness accounts, diaries, and letters. The selections cover the period 1897—1946, and are arranged in a roughly chronological order.

Here are not only real glimpses of the struggles and sacrifices of great leaders like Tilak, Gandhiji, the Ali Brothers, Pandit Nehru, Subhas Bose, Maulana Abul Kalam Azad, Rajaji, Jatin Das, Bhai Parmanand and Jayaprakash Narayan, but also of lesser known people like Barindra, and Bina Das.

The book as a whole enables you to see at first hand, as it were, how tyranny and brute force tried to crush our country's struggle for freedom, how her sons' faith and courage, unwavering and unflinching, stood up against it, and how physical power can never finally vanquish spiritual force.

A book that no one, who does not wish to forget the trials and sufferings of our people in the cause of liberty, can afford to neglect.

## ODE TO THE MOTHERLAND

by

SAROJINI NAIDU

(Taken from Mrs. Sarojini Naidu's speech on "Self Government for India" at the Bombay Congress, 1915)

*Waken! O Mother, thy children implore thee!  
We kneel in thy presence to serve and to adore thee!  
The night is aflush with the dream of the morrow,  
Why still dost thou sleep in thy bondage of sorrow?  
O waken, and sever the woes that enthrall us,  
And hallow our hand for the triumphs that call us.  
Are we not thine, O Beloved, to inherit  
The purpose and pride and the power of thy spirit?  
Ne'er shall we fail thee, forsake thee or falter,  
Whose hearts are thy home and thy shield and thine altar,  
Lo! we would thrill the high stars with thy story  
And set thee again in the forefront of glory.  
Mother, the flowers of our worship have crowned thee!  
Mother, the flame of our hope shall surround thee!  
Mother, the sword of our love shall defend thee!  
Mother, the song of our faith shall attend thee!  
Our deathless devotion and strength shall avail thee!  
Hearken, O Queen and O Goddess, we hail thee!*

Poona, 18th Sept. 1946

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BAL GANGADHAR TILAK

## CHAPTER I

### BAL GANGADHAR TILAK

The history of certain sections of the Indian Penal Code is such as to delight the gods. It is almost coeval with the history of the Indian Nationalist Movement. Some of its sections like Sec. 121A (Waging War against the King-Emperor) and Sec. 124 A (Sedition) have been responsible for the arrest and conviction of so many stalwarts of the Indian Revolution.

Tilak, perhaps the greatest politician India has ever produced, was a pioneer in several fields. With him our Nationalist Movement entered a new militant phase in 1907. But many years before that, we had been active on several fronts. His famous journals, the *Kesari* and the *Mahratta* infused a new spirit of patriotism in the country.

It was an article in the *Kesari* that aroused the wrath of the Bombay bureaucracy against Lokmanya Tilak. It appeared on the 15th June, 1897. On the 8th September the case against him had sufficiently matured to come before the Bombay High Court. He was charged under Section 124 A, Indian Penal Code, for attempting to excite feelings of disaffection against the Government established by law.

Lokmanya was defended by Mr. Pugh of the Calcutta Bar. It was said that no prominent member of the Bombay Bar was found willing to

interest himself in this case. Mr. Pugh's junior counsel was Mr. Dinshaw Davar. It is an irony of fate that later, in 1908 (Mr. Davar had then become a Judge of the Bombay High Court) he sentenced Lokmanya Tilak to six years' rigorous imprisonment.

The Hon. Mr. Justice Strachey who tried the case, in his direction to the Jury laid down the extraordinary doctrine that disaffection meant "want of affection." This was a rather novel interpretation; but in spite of the Defence Counsel's vigorous opposition, the learned Judge stuck to his highly original interpretation.

Tilak was found guilty by a majority of 6 to 3, six Englishmen finding him guilty and three Indians not guilty. The Judge accepted the majority view and sentenced Tilak to 18 months' rigorous imprisonment.

Even in 1897, Lokmanya Tilak was a national figure. Bengal raised more money than Maharashtra and Bombay combined together, and sent a leading counsel all the way from Calcutta to defend him. Lokmanya Tilak's was the first case in the annals of the Bombay High Court, in which Sec. 124 A was invoked, and the second in India, the first being in Calcutta.

## The Charge

In The High Court Of Judicature At Bombay

### Fourth Criminal Sessions

8th September, 1897

Imperatrix ..... Complainant  
*versus*

Bal Gangadhar Tilak and Another ..... Accused

The Advocate-General with Messrs. MacPherson and Strangmann, instructed by Mr. Nicholson, Public Prosecutor, for the Crown.

Mr. Pugh with Mr. Davar, instructed by Messrs. Bhaishanker and Kanga, Solicitors, for the Defence of the Accused.

The Clerk of the Crown called upon the first accused Bal Gangadhar Tilak and the second accused Keshav Mahadev Bal to surrender to the bail and the prisoners went into the dock.

The Clerk of the Crown next read over the charge to the prisoners under Section 124 A as follows:—

You, Bal Gangadhar Tilak, are charged as follows:—

Firstly—That you, Bal Gangadhar Tilak, heretofore, to wit, on or about the 15th day of June, 1897, at Bombay, then and there being the Proprietor and Publisher of a certain vernacular newspaper, entitled the *Kesari* by words intended to be read, excited feelings of dis-

affection to the Government established by Law in British India, to wit, by publishing in Bombay, in the issue of the said newspaper, the *Kesari* of the 15th day of June, 1897, certain articles appearing in the said issue on page 2 under the heading or title, "Shivaji's Utterances," and on page 3 of the said issue certain paragraphs beginning with the second paragraph commencing in the first column and ending at the end of the first paragraph commencing in the third column and thereby committed an offence punishable under Section 124 A of the Indian Penal Code.

Secondly—That you, Bal Gangadhar Tilak, heretofore, to wit, on the day and year aforesaid, at Bombay, aforesaid, then and there being the Proprietor and Publisher of the said newspaper, entitled the *Kesari* as aforesaid, by words intended to be read, attempted to excite feelings of disaffection to the Government established by law in British India, to wit, by publishing in Bombay, in the said issue of the *Kesari*, the aforesaid article and thereby committed an offence punishable under Section 124 A of the Indian Penal Code.

The Special Jurors were then called.

Foreman:—Mr. H. I. P. Thompson

Mr. J. S. Sassoon	Mr. R. Woolcombe
Mr. J. Porter	Mr. Babaji Cassinath
Mr. H. M. Phipson	Mr. Pestonji N. Wadia
Mr. Anandrao N. Vasudev	Mr. H. F. Proctor.

His Lordship: Who appears to prosecute?

The Advocate-General: I do, my Lord, with Messrs. MacPherson and Strangmann.

Mr. Pugh: I appear for the Defence, my Lord, with Mr. Davar, for the 1st accused.

### The Judge's Summing Up

If you are satisfied that the two prisoners or either of them are responsible for the publication of these two articles in the *Kesari*, the next question is, whether that makes them guilty of an offence against Section 124 A of the Penal Code. Did they, or either of them, by means of the articles, excite or attempt to excite in their readers feelings of disaffection to the Government established by law in British India? That is a question of the meaning and effect of the articles, and the intention of the accused in publishing them, and it is entirely and exclusively a question for you to decide. But there is a preliminary question to be considered, and that is, what is the meaning of Section 124 A of the Penal Code, and what is the nature of the offence which it makes punishable? That preliminary question is of the section and of the offence; and it is then for you to determine upon the evidence before you, whether the facts constituting the offence as explained by me have been established, and whether the prisoners are guilty or not.

Now, I come to deal with the law as contained in Section 124 A of the Indian Penal Code, and before I read it, I would point out that there are certain matters which I shall ask you to dismiss altogether from your minds. In the first place, in construing the section I do not propose to discuss the English law of seditious libel, though I have most fully considered the cases to which Mr. Pugh has referred, and the writings of Sir James Stephen could have no bearing on the case, and the explanation which I shall give you is not in any way inconsistent with the best English authorities. In England seditious libel is a common law misdemeanour and

not a statutory offence, i.e., not created by Act of Parliament, but elaborated by the decisions of Judges, and does not correspond with Section 124 A of the Indian Penal Code. I have considered the matter carefully, and I do not think that English cases can have any bearing in the matter. I therefore ask you to dismiss from your minds the Trafalgar Square incident, as, in India, the law applied is the Penal Code. Well now, I ask you to look at the section and the way it is worded. It says: "Whoever by words, either spoken, or intended to be read, or by signs or by visible representations, or otherwise, excites or attempts to excite feelings of disaffection to the Government established by law in British India, shall be punished with transportation for life, or for any term, to which fine may be added, or with imprisonment for a term which may extend to three years, to which fine may be added, or with fine." To the above is appended the following explanation: "Such a disapprobation of the measures of the Government as is compatible with a disposition to render obedience to the lawful authority of Government against unlawful attempts to subvert or resist that authority, is not disaffection. Therefore, the making of comments on the measures of the Government with the intention of exciting only this species of disapprobation is not an offence within this clause." You will observe that the section consists of two parts, first, a general clause, and then an explanation. The object of the explanation is a negative one; attempting to excite disaffection, is not to be so regarded. We must, therefore, first consider the first or general clause of the section by itself, and then see how far the explanation modifies it. The offence, as defined by the first clause, is exciting, or attempting to

excite, feelings of disaffection to the Government. What are "feelings of disaffection"? I agree with the Late Chief Justice of Bengal, Sir Comer Petheram, that disaffection means simply the absence of affection. It means hatred, enmity, dislike, hostility, contempt and every form of ill-will to the Government. Disloyalty is perhaps the best general term comprehending every possible form of bad feeling to the Government. It means everything which indicates hostility to the Government. That is what the law means by the disaffection which a man must not excite or attempt to excite. He must not make or try to make others feel enmity of any kind towards the Government. You will observe that the amount or intensity of the disaffection is absolutely immaterial except perhaps in dealing with the question of the punishment: if a man excites or attempts to excite feelings of disaffection, great or small, he is guilty under the section. In the next place, it is absolutely immaterial whether any feelings of disaffection have been excited or not by the publication in question. There are two charges against each of the prisoners, one of actually exciting feelings of disaffection to the Government and the other of attempting to excite feelings of disaffection. It was immaterial whether a person excited these feelings or attempted to excite feelings of disaffection. If you are satisfied that he has done so, you will of course find him guilty. But if you should hold that that charge is not made out, and that no one is proved to have been excited to entertain feelings of disaffection to the Government by reading these articles, still that alone would not justify you in acquitting the prisoners. For each of them is charged not only with exciting feelings of disaffection, but also with attempting to excite such feel-

ings. You will observe that the section places on absolutely the same footing the successful exciting of feelings of disaffection, and the unsuccessful attempt to excite them, so that if you find that either of the prisoners has tried to excite such feelings in others, you must convict him even if there is nothing to show that he succeeded. Again, it is important that you should fully realise another point. The offence consists in exciting or attempting to excite in others certain bad feelings towards the Government. It is not the exciting or attempting to excite mutiny or rebellion, or any sort of actual disturbance, great or small. Whether any actual disturbance or outbreak was actually caused by these articles is absolutely immaterial. If the accused intended by the articles to excite rebellion or disturbance, his act would doubtless fall within Section 124 A and would probably fall within other sections of the Penal Code. But even if he neither excited nor intended to excite any rebellion or outbreak or forcible resistance to the authority of the Government, still if he tried to excite feelings of enmity to the Government, that is sufficient to make him guilty under the section. I am aware that some distinguished persons have thought that there can be no offence against the section unless the accused either counsels or suggests rebellion or forcible resistance to the Government. In my opinion that view is absolutely opposed to the express words of the section itself, which as plainly as possible makes the exciting or attempting to excite certain feelings, and not the inducing or attempting to induce to any course of action such as rebellion or forcible resistance to overthrow the ruler of the country the test of guilt. I can only account for such a view attributing it to a complete misreading

of the explanation attached to the section, and to a mis-application of the explanation beyond its true scope. Lastly, the authority or institution against which it is an offence to excite or attempt to excite feelings of disaffection is "the Government established by law in British India." What is the meaning of that expression? It means, in my opinion, British rule and its representatives and administrators as such—the existing political system as distinguished from any particular set of administrators. The result is that you have to apply this test to the case of each of these two prisoners: Did he, by these articles, try to excite in the minds of the readers feelings of disloyalty or hatred to the Government?

#### • The Sentence and Public Reactions

The Jury retired at 5 p.m. Immediately the Jury retired, Mr. Pugh rose to address the Court.

Mr. Pugh: Your Lordship, with regard to the three points which you will remember your Lordship reserved on a former occasion as to whether there was sufficient order or authority for the complaint in this case.

His Lordship: I will hear you, Mr. Pugh.

Mr. Pugh: The three points are: First, whether there was any sufficient order or authority within the meaning of Section 196 of the Criminal Procedure Code for the complaint made in this case; Secondly, if not, whether that Court had power, notwithstanding, to accept the commitment under Section 532 of the Criminal Procedure Code and proceed with the trial; and Thirdly, if, in regard to the charge, he directed the jury that disaffection was the absence of affection. Now your Lordship has put it, according to my notes, that disaffection only means want of affection. Your Lordship, I think,

also used the words ill-will, dislike, enmity. The point I wish to call attention to is whether your Lordship's direction to the Jury that disaffection was absence of affection was correct.

His Lordship: What I said was that the term absence of affection might be taken in its general sense as ill-will, disloyalty, enmity. They are only shades of difference.

Mr. Pugh: What I understood was that your Lordship used the words absence of affection and illustrated them by the words ill-will, enmity, etc.

His Lordship: I intended to use the words absence of affection as a general expression of all those terms.

Mr. Pugh: I would point out that the term 'disaffection' can only be applied as regards the disaffection of a regiment to an officer, or the subject to the Government, and is expressed in Webster's Dictionary by the word "Disloyal."

His Lordship: Mr. Pugh, I fully considered the points you have raised, and as I do not think any useful purpose will be served by reserving them, I decline to do so.

The Jury returned at 5-40 p.m.

The Clerk of the Crown: Are you unanimous?

The Foreman of the Jury: We are unanimous with regard to accused No. 2, but are not unanimous with regard to accused No. 1.

The Clerk of the Crown: What is your verdict with regard to accused No. 2?

The Foreman of the Jury: Not guilty on both counts.

The Clerk of the Crown: What is your majority?

The Foreman of the Jury: 6 to 3.

The Clerk of the Crown: Guilty or not guilty?

The Foreman of the Jury: 6 for guilty and 3 for not guilty.

His Lordship: I accept the verdict.

The Clerk of the Crown: Tilak, you have been found guilty of attempting to create disaffection against the British Government. Have you anything to say why judgment should not be passed upon you according to law?

Tilak: I wish to make a statement. In spite of that verdict I still maintain I am innocent, and for this reason: I think the verdict has been arrived at owing to the misunderstanding of certain Marathi Texts. In fact, there was not a single intelligent Maratha gentleman put into the witness-box by the Prosecution. It seems to have been lost sight of, and not pressed on the attention of the Jury, but whatever it is, I still hold that the writings themselves are not seditious. They were not written with any seditious intention, and were not likely to produce that effect, and I do not think they have produced that effect on the readers of the *Kesari*, or would produce on any intelligent Marathi reader.

The Judge: Tilak, you have been found guilty of attempting to excite feelings of disaffection to the British Government established by law. And I agree with the verdict. I do not think any reasonable and fair man applying his mind to these articles could doubt that in publishing them you have been animated by a feeling of disloyalty and disaffection to the British Government, and that you attempted to inspire those feelings in your readers. I have now to consider what sentence I shall pass on you. I may state at once that I do not intend to pass on you the maximum sentence allowed by law, or anything like that sentence. In my opinion the maximum

sentence ought to be reserved for the worst possible offence under the section. Although I take a serious view of your offence, I do not take such a serious view of it as that. There are certain considerations, which I shall take into account in passing sentence. I take into account that this is the very first prosecution under the section in this Presidency and the second in India. The section under which you have been convicted has been allowed to remain for a considerable time almost as a dead-letter, and I think that you and others like you may have been emboldened by this to think that there was no kind of writing in which you might not indulge with impunity. I shall also take into account and will attach still more weight to the fact that, at all events for a considerable period, you did good work in connection with the plague and attempted to enforce a reasonable policy upon your countrymen. To that extent you co-operated with the Government and did so not long before you published these articles. I shall also take that into account in passing the sentence upon you. But, on the other hand, I must take into account certain other facts which are not in your favour. You are not an ordinary obscure editor and publisher, but you are one of the leading members of your community; and being a man of influence, many of your people look for their guidance to you—a man of intelligence, a man of remarkable ability and energy, and one who might, under other circumstances, have been a useful force in the State. Instead of adopting that course which would have brought you credit, you have allowed yourself to publish articles of this kind which, if persisted in, could only bring misfortune upon the people. I must also take into account that a man like you must know that, at such a

time as this, it behoves everyone, especially persons of influence, to be careful as to how they address the people in regard to their relations with the British Government. I have done my best to bear in mind everything that could be considered in your favour, as well as the matters considered against you, and the result is that I have come to the conclusion that I ought to pass you half the full term of imprisonment allowed by the section, namely, a sentence of eighteen months' rigorous imprisonment.

### Feeling in Madras

(From the *Hindu*, Madras)

Few people outside the native community can have any idea of the feeling that has been aroused by the news of Mr. Tilak's conviction even in Madras. A description of the scene in our office on Tuesday evening may perhaps lead to convey some impression, however vague, of the extent of anxiety that had been caused in the minds of the native community as to the result of the trial. From an early hour in the afternoon enquiries began to pour in as to the nature of the latest telegram from our special correspondent in Bombay. Passers-by in Mount Road peeped in at the *Hindu* Office, eager to catch a glimpse of the latest news. It was cruel to keep the anxious enquirers in suspense, and we so arranged that the telegraphic intimations coming in from time to time about the progress of the trial were set in type immediately as they were received, and posted in slips outside our office. When it was known that the Judge had been summing up during the whole of the morning and had resumed even after tiffin, it was

understood that the Judge would soon cease speaking and that the fate of Bal Gangadhar Tilak would be decided before the rising of the Court. The crowd below in front of our office grew thicker and more restless. High up in the verandah were gathered a large number of people, including many distinguished gentlemen of the native community; and the faces of many of them, as they calculated in their minds the time that would be occupied by the various stages of the proceedings from the commencement of the Judge's summing-up until the time of the Court's rising, in the absence of the eagerly-awaited telegram intimating the result, would have afforded a veritable study in physiognomy for an observer of human nature. Hour after hour passed, the crowd grew thicker and thicker; yet no telegram came. The people grew more and more restless, some stayed in restless anxiety; others straggled off in disappointment. Many a man in red turban and khaki uniform was mistaken for a telegraph peon and was run after, and the subsequent disappointment was in each instance clearly perceptible among the crowd. Weary of waiting, a portion of the crowd went to the Telegraph Office. The General Post Office at the Beach, we learn, was likewise crowded by a large number of students and other eager people during the evening. A run up the staircase at length announced the arrival of the telegraph peon followed by an eager crowd on his trail. And when the cover was opened and the telegram read, Oh! what grief, what anguish was depicted in the faces around! Till a late hour in the night, and even on the following morning, small knots of people could be seen gathered in nooks and corners in the native quarters of the City, and the conviction of Mr. Tilak was their all-engrossing

topic of discussion. The *Madras Times* correctly describes the feeling among the native public in saying "that the news of Mr. Tilak's conviction was received as a national calamity. It would be impossible for a good length of time to obliterate the memory of that eventful evening, and it certainly cannot be said that the event has been conducive to the strengthening of the bonds existing between the native and the Anglo-Indian communities in the country."

### **Imprisonment and Release**

Compared with the jails of 1897, the present-day jails might be called "palaces." There is a vast difference between the hardships of jail-life in 1897 and those of our own days. Experience of present-day jail life is not likely to enable a man to imagine fully the thousand and one woes that were concomitants of imprisonment in the nineties of the last century. In the first days of jail life, Tilak suffered much under such pitiable circumstances. In prison, he could take no food, he could drink no water. In order to keep body and soul together, he had to thrust down his throat thin crumbs of bread soaked in a little water at rare intervals. Full two months passed in that way. At a leap his weight fell by 25 pounds. Everyday he grew more and more emaciated and the one anxiety and prayer of all his friends was that he should come out at least with his life safe. His friends saw no way to get the situation changed for the better. The question of giving proper treatment to political prisoners was not in the hands of those people. And besides, with gentlemen-prisoners, it is always difficult to use backdoor or backstairs influence for securing greater conveniences in jail.

What we understand now by the expression "political prisoners", but what the Government pretends not to know, was not even within the ken either of the people or of the Government of those times. On the contrary, the offence of sedition was supposed to bear about it the worst odour of criminality. The Government struck the name of Tilak off the register of the Fellows of the University of Bombay. He had already resigned his membership of the Legislative Council and of the Poona Municipality. But if he had not discreetly done so, he would, sooner or later certainly have had to resign the two seats. The Government was practically bent upon so denigrating Tilak's character as to render him unfit to be received in higher society with open arms and free minds. Naturally, a Government with such a dark motive could not be expected to give him better and more congenial treatment, though he appeared to be on the verge of collapse.

Sympathy for Tilak was being continuously expressed by the public through newspapers. The attempt, however, to pass a special resolution about him in the Amraoti Congress under the presidency of Sir Sankaran Nair proved fruitless. It was plausibly argued that such a resolution would not have instantly served as a master key to fling open the doors of the jail; but there could be absolutely no doubt that it might have produced a softening effect on the attitude of the Government towards Tilak. At least Tilak's case would have been buttressed by the support of so powerful a representative body as the Indian National Congress was even then considered to be. The extreme moderatism of certain incurable Moderates stood in the way of such a resolution finding a place in the agenda of the Congress.

Except for proving how entirely the Congress was under the thumb of the Moderate Party and how cowardly the attitude of that Party was towards the patriotic sons of India as Tilak undoubtedly was, the timid unwillingness of the dominant Party in the Congress to accept a resolution of that type achieved nothing.

A relieving feature, however, of that condemnable attitude of the Congress was that the President himself and some of the most notable speakers of the Congress platform referred to Tilak in glowing expressions of sympathy for his condition and of admiration for his bold patriotism. Sir Sankaran Nair, the eminent lawyer, laid great stress on the law points in the Tilak case and asserted with great force that in England Tilak would have been treated with all the honour and dignity due to a political prisoner. Babu Surendra Nath Banerjee grew far more emphatic and eloquent and thundered out to the assembly that his soul was in jail with Tilak, who, in his opinion, was perfectly innocent. Babu Umesh Chandra Banerjee fearlessly pronounced Justice Strachey's definition of "sedition" to be wholly indefensible and repugnant to public opinion. When Babu Surendra Nath Banerjee reached the peak of his superb oratory while speaking of Tilak, people in the Congress rose to their feet in reverence, triumphantly cried out, echoed and re-echoed the name of Tilak and clapped their hands with such tremendous enthusiasm that even the stentorian voice of that renowned Demosthenes of India was very nearly drowned. Newspapers of the day described that magnificent scene in the Congress as unprecedented in its history. That was all very well indeed. But no part of it had any effect on the circumstances that were destroying the health and life of Tilak.

Such was the position of glory which Tilak occupied in the eye of the whole nation, when Imperialism's henchmen, in their own interest, locked him up as a common criminal in their jail.





LALA LAJPAT RAI

## CHAPTER II

### LALA LAJPAT RAI

The British were fond of calling the Punjab the "Sword Arm of India." A substantial part of India's army is recruited from that province. British officials have been at pains to instil feelings of loyalty towards the administration, specially among the peasantry, supported by grants of land to loyalist ex-soldier families. Correspondingly repression has been more severe there than in any part of India and officials have not hesitated to use the most brutal and repressive methods to crush legitimate political agitation.

The year 1907 as well as those which immediately preceded and followed it were years of transition. They saw the birth of a new awakening in India—Lokmanya Tilak in Bombay Presidency, Aurobindo Ghosh, Bipin Chandra Pal and others in Bengal, Syed Haider Reza in Delhi, Lala Lajpat Rai and Sardar Ajit Singh in the Punjab, symbolised new political forces.

Lord Minto, who had succeeded the brilliant and arrogant Lord Curzon as Viceroy and Governor-General of India, followed the traditional British policy of repression on one hand and small crumbs of reforms on the other. Repression of course took the first place. Lala Lajpat Rai, well-known lawyer, patriot and a prominent leader of the Nationalist (extremist) Party was arrested at

Lahore and deported without any trial to the Mandalay Fort in Burma. He was transferred from Mandalay on 11th November, 1907, and released at Lahore on the night of 18th November at his place in order to prevent any popular demonstration. Sardar Ajit Singh was also brought on the same steamer and on the same train, but they were not allowed to exchange a word during the journey!

Lala Lajpat Rai was confined to the upper floor of a two-storeyed wooden building in the Fort of the former King of Burma at Mandalay. The Fort was seven miles in area. He was not allowed any newspapers or visitors. His letters were suppressed. His brother applied to the Punjab Government to see him, but could not get permission.

No reasons were given to him for his arrest. Months later he was informed, in reply to pressing inquiry from himself, that he had been arrested and deported under Bengal Regulation III of 1818 for raising a "Commotion within the Dominion of His Majesty the King-Emperor of India", and a copy of the warrant\* under which he was arrested was also supplied to him.

"Home Department, Government of India,  
To the Superintendent of Jail, Mandalay.

Whereas the Governor-General-in-Council, for good and sufficient reasons, has seen fit to determine that Lajpat Rai, son of Radha Kishen, shall be placed under personal restraint at Mandalay, you are hereby required

\*"Story of My Deportation" by Lala Lajpat Rai, 1908, Punjabi Press, Lahore, p. 243.

and commanded in pursuance of that determination to receive the person abovenamed in your custody and to deal with him in conformity to the orders of the Governor-General-in-Council, and the provisions of Regulation 3 of 1818.

By order of the Governor-General-in-Council,  
(Sd.) H. S. RISLEY,  
*Secretary to the Government of India,  
Home Department.*

Dated the 7th May, 1907.

### **The Deportation to Burma**

\*....It was raining when the "Guide" threw anchor and it was still drizzling when we came in sight of the mainland. We landed on a jetty which was all quiet and free from any kind of traffic. A few Punjabis in police uniform were, however, in evidence, a *palki gharri* was placed at my disposal. The European Inspector who had escorted me from Lahore sat by my side and there was a local police officer on the opposite seat.

Thus protected and guarded against any attempt at rescue, I reached the Panduzaing Railway Station. This is a small suburban station at some distance from the railway station of Rangoon proper. We had to wait in the carriage for some time before the train arrived, and I was taken, well guarded of course, across a railway bridge to the platform where the mail train was drawn up. I had been looking at Burmese buildings, houses, temples, etc., on both sides of the Irrawaddy from the steamer since morning, and now I saw Burmese faces, men, women and children, mixed up with a large number

\*Extracts from "The Story of My Deportation."

of foreigners amongst them, Indians and Chinese being particularly and prominently noticeable. From the very moment the steamer entered the mouth of the Irrawaddy I felt, I do not know why, drawn towards Burma and its people. It may be that going there as an exile I calculated upon their sympathy and good-will. Or it may be that (with the exception of the little island of Ceylon) where I had been some years before on a pleasure trip), Burma being the first Asiatic country I was visiting, the political helplessness of Asia drew all my sympathy towards my fellow Asiatics; or it may be that the Burmese having received their religion from us, Indians, I felt a sort of kinship with them which prompted me to think well of them. Be that as it may, in Burma I did not feel the depressing sensation of being in a strange land. At Indian faces, of course, I looked with sentiments of affection, regardless of their being Hindus or Muhammadans, Punjabis, Bengalis or Madrassis. To me all of them were my own people, bound to me by a tie which at that time appeared to me to be particularly dearer and stronger than any other.

Descending the bridge and walking between policemen before and behind, I passed by a well-dressed Punjabi gentleman, who recognised me at once. Involuntarily I read a volume of misery and grief on his face, and responded to his salaam with a winking of my eyes. A second after, I was seated in a first class compartment reserved for me and my guard. In the back carriages of the train, I saw a number of Punjabi Sikhs in police uniform looking at me eagerly and talking rather excitedly. The Commissioner of Police, however, soon sent them word to keep indoors and also ordered the shutters of my compartment to be raised, a process re-

peated at the approach of every station right up to Mandalay, where we reached the next day between 2 and 3 p.m. The journey was uneventful except for some touching marks of respect and regret shown by the Muhammadan constables forming part of my escort. Let me state here that all through the journey from Lahore to Mandalay, I met with nothing but kindness from the Hindu and Muhammadan policemen forming my escort. On board the steamer, they talked with me freely and I can never forget the depth of feeling displayed by a young Muhammadan constable having a most handsome and prepossessing appearance. While deeply regretting my misfortune and almost weeping over it, he gave expression to his own and to his country's feeling of helplessness in words of deep and sincere pathos. The others—although they did not say so in many words—expressed similar sentiments and did all that lay in their power to make me comfortable. One of them, on the railway journey from Rangoon to Mandalay, bought some Burma bananas out of his own pocket and offered them to me. To please him I took one but the man insisted on my taking more, saying very feelingly that perhaps this was the last time they saw me. In return for his kindness I spoke to him in words of encouragement and asked him never to despair of Providence. I added that something within me whispered that I was sure of returning to my country after a short absence. My words had their effect and in token of his pleasure the man clasped my feet. For the first time in my life, perhaps, did the noble purity of the Indian mind, uninitiated in the hypocritical gloss of Western civilisation, burst upon my soul in its full and original grandeur. Here was an Indian, holding a different faith from mine, belonging to a

poverty-ridden peasantry, whom circumstances had driven to accept service in the Police on a pittance of seven or eight rupees per month, ready to risk his livelihood and his prospects for the mere sake of showing that he sympathised with me in my troubles. If the superior police officer had selected these Muhammadan constables to be my escort on the ground of their difference in faith from me and consequently not likely to sympathise with me, they were quite mistaken in their estimate of them. Of course, they had no criminal intention, as I myself had none, but, all the same, they did not conceal their sentiments towards me, and rendered me every possible service. It was with a real pang that I parted from them at Mandalay. At this station the whole platform was cleared before I was asked to get down and walk over to the carriage waiting outside. I could, however, see several Punjabi faces peeping at me from office window and door pane. I had hardly left the station premises when to my surprise I found my friend Mr. G. K. Devdhar, of Mr. Gokhale's Servants of India Society, Poona, at my feet. The affectionate touch of a friend's hand moved me so deeply that it was with a great effort that I controlled myself. For a moment I quailed under the influence of the touch and feared lest that which the actual arrest and deportation had failed to do might be effected by this sudden display of love and regard on the part of a friend whom I never expected to meet there. As soon, however, as Mr. Devdhar touched my feet the police construed it into an attempt at rescue and the Inspector took hold of my arm, and a European Sergeant getting hold of Mr. Devdhar's tore him away from my feet. I could only give a silent but affectionate nod in response to my friend's

attempt to embrace and honour me. The next moment I saw him driving past greeting me with folded hands. This time my hands being free I responded. I was, however, sorry for Mr. Devdhar because I was sure that henceforward his movements would be closely watched and his footsteps dogged. I have reason to believe that my apprehensions were not groundless

### **Correspondence Was Disallowed**

The following questions and answers taken from the Parliamentary Report of the 9th July, 1907, will show how dust was thrown in the eyes of the public by persistent wrong information supplied from India and Burma about the treatment of political prisoners.

Mr. William Redmond asked the Secretary of State for India whether the friends of the persons recently arrested and deported without trial in India were allowed to communicate with them, or if their relatives were allowed to see them at any rate.

*Mr. Morley:* Lala Lajpat Rai and Ajit Singh were allowed to correspond with their friends, but their correspondence is examined to prevent messages being sent by them that might give rise to disturbances. So far one letter only has been stopped. My information from India is that no one has expressed a desire to see the prisoners, but there would, I presume, be no objection to their doing so under such supervision as would ensure that no mischievous and undesirable communications were made.

*Mr. Redmond:* May I ask whether the Right Honourable gentleman could see his way to have these

prisoners detained in some place where they could be enabled to see their friends, whom they cannot see now because of the distance?

*Mr. Morley:* I am afraid the effect of the deportation, whether we liked it or disliked it, would certainly be impaired if the change suggested were made.

*Mr. Redmond:* Will the Right Honourable gentleman undertake that these prisoners shall at least get the same facilities as were given to the Irish prisoners in Kilmainham long ago?

*Mr. Morley:* There were no prisoners at Kilmainham when I was responsible for the Government of Ireland, and I have forgotten what arrangements were made.

*Mr. Redmond:* I shall be delighted to remind the Right Honourable gentleman.

*Mr. Mackarness:* Can the prisoners communicate with their legal advisers?

*Mr. Morley:* I presume so.

The facts narrated in the other parts of the story show how far Mr. Morley's statements were true. Below I publish a few of the letters addressed to me at Mandalay which were suppressed and not delivered to me. The reader will see for himself that letters were delivered or not at the sweet will of the Superintendent, and that the latter was not at all guided by the principle stated by Mr. Morley in the House of Commons. For example, the very first letter of those published below was detained for no reason. It contains nothing except a few words about the writer's health and that of another friend. Similarly most of the other letters detained and delivered to me after my release, under orders of the Government, are perfectly innocent. They

contain only stray expressions of sympathy with me. I have, however, to add that all the letters suppressed have not even now been made over to me. I was told by the Hon. Mr. Gokhale that he wrote to me one or two letters while I was at Mandalay. They were never delivered to me nor are they included in the letters that have been sent to me since my release. He also forwarded to me two letters from a friend, Mrs. Blair (a daughter of the late Mr. W. C. Bonnerjea, married to an English Barrister in England). I can think of no reason why these letters should have been withheld.

*Some of the suppressed letters*

Lahore, 17th Oct. 1907.

Respected Babuji,

Both myself and Mr. Athavale are all right. I hope you are doing well.

Yours respectfully,  
(Sd.) Jaswant Rai.

18 Terrace Road,  
Mt. Pleasant, Swansea.  
May 16th, 1907.

Dear Sir,

I am a young Welshman, 22 years old, very much interested in Indian questions. Will you kindly send me a few lines about the agitation that is going on at present in India? I should like to hear from you very much whether you have done anything very dreadful.

There is some discussion in the House of Commons every day on the position of affairs in India. People in Great Britain, however, know very little of the truth

about India, and I would like to learn more about it. I hope that you do not find the time weighing heavily upon your hands, and that your confinement is not irksome.

Thanking you in anticipation,

Believe me to be,  
Yours faithfully,  
(Sd.) Hed. J. Sandy.

*(Translation of a Hindi letter)*

Kashi.

Nothing in the world is difficult of attainment to those in whose heart is the power of beneficence (or philanthropy).

(Sd.) Ram Chandra.

*(Translation of an Urdu Letter)*

Agra, 24th June, 1907.

Dear Sir,

Namaste! Having heard the sad news of your deportation, I went from Agra to Lahore, where I stopped with Lala Ranpat Rai for three days. Lala Pyarelal and Munshiji also returned from Jagraon at the time and I was able to see them.

I have been at Agra for three months and do not intend to return to Amritsar. Since you are absent from the Punjab, there is no one for whose sake I should go and live there. I pray God that you may return to

the Punjab soon and that the reports circulated by your enemies may turn out false. Please let me know how you are doing.

Yours truly,  
(Sd.) Nath Mal.

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Gurdaspore,  
6th August, 1907.

My Dear Sir,

Having known that friends are allowed to communicate with you, I take the opportunity to ask you to let me know of your health. Blessed is the place where you are living and in the words of the 5th Guru I cannot help addressing you in the following strain:

*(Here follow some verses in Gurumukhi)*

I hope that you are all right and will write to me.

Yours truly,  
(Sd.) Gurdit Singh.

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1, Hammum Street,  
Bombay, 9th September, 1907.

To

Lala Lajpat Rai, Esqr.,  
Fort Mandalay,  
British Burma.

No. 3021-07

Dear Sir,

We have been desired to instruct our London Agents to send a notice on your behalf to the *Daily Express* and if necessary to take action against that

paper in connection with the canard contained in its Simla correspondent's letter about you. We send you a copy of that letter and shall thank you to let us know whether you authorise us to act as stated above. With a view to save time, we have already written to our London Agents on the subject, but have asked them not to send the notice until we wire them to proceed. Please therefore let us have your reply by return of post. We shall also be glad to receive any special instructions that you may wish to give in the matter. We send you a form of Warrant of Attorney for your signature which please sign and return to us if you wish proceedings to be taken. The blanks in the Warrant (except the date thereof) will be filled up in London.

Yours faithfully,  
(Sd.) Dikshit Dhanjisha Sunder Das,  
Attorneys at Law.

The *Daily Express* an influential Conservative daily in London wrote that the real reason for the deportation of Lala Lajpat Rai was that he had intrigued with the Amir of Afghanistan for the overthrow of British rule in India. As the charge was false Lala Lajpat Rai's friends wanted to file a suit for libel against that journal. The solicitor's letter was, however, withheld and was not given to Lala Lajpat Rai.

## CHAPTER III

### THE CULT OF VIOLENCE

The defeat of Czarist Russia at the hands of Japan was a turning point in the history of Asia and Africa. It roused the oppressed colonial masses of these continents and filled them with a new spirit of hope and self-respect.

The effects of the Russian defeat were widespread. It brought about the Revolution of 1905 in Russia, and gave a strong fillip to similar movements in other countries. For example, the Young Turk Revolution in Turkey (1908), the Chinese Revolution under Dr. Sun Yat-sen (1911) and tremendous political awakening among the Arabs, the Persians, the Philippinos, and elsewhere.

In India its results were no less striking. A new spirit permeated the country from one end to the other. It was said: "If a small country like Japan can defeat the mighty Empire of the Czars why should not a big country like India prevail against a small country like Great Britain?"

The youths were filled with a new spirit of intoxication. The Indian National Congress and its leaders, Sir Phirozeshah Mehta, G. K. Gokhale, Dr. Rash Bihari Ghose and Surendranath Bannerji appeared far too much committed to constitutional agitation and to the politics of petitioning.

Barendra Kumar Ghose started organising secret terrorist groups in Bengal to overthrow

foreign rule. The bomb made its entry in the political arena to be used against unpopular and oppressive British and Indian officials. Political dacoities were organised to finance the revolutionary activities.

The revolutionaries moved from district to district contacting youths, starting gymnasiums, permeating into schools and colleges. They preached the gospel of *Swadeshi*, issued literature, published journals, organised political dacoities and bomb-making.

The following pages are taken verbatim from the Sedition Committee's Report, published by the Government of India. It was presided over by Mr. Justice Rowlatt. The notorious Rowlatt Act was based upon its findings.

It was to protest against this Rowlatt Act that the meeting was held in the Jallianwala Bagh, on which General Dyer fired and started a political upheaval in India following the massacre of Amritsar.

### Alipore Conspiracy Case

A number of *bhadralok* youths entered into a conspiracy to wage war against the King-Emperor (Section 121 A of the Indian Penal Code) and used various places in furtherance of their object. Their headquarters were in Calcutta. They collected explosives, arms and ammunition. They employed newspapers in furtherance of this criminal conspiracy. On the 2nd of May, 1908, by simultaneous searches in various places, the conspiracy was discovered.

The judgment of the High Court Bench presided over by Sir Lawrence Jenkins established the following points:—

- (a) That at least 12 persons had collected arms for the purpose of waging war against the King. They were prepared to use explosives in order to further their purpose and accomplish assassinations. Some had made full confessions. They had actually killed two European ladies.
- (b) The newspaper *Jugantar* was a "limb of the conspiracy."
- (c) Even young boys in very remote parts of the country were corrupted by the *Jugantar* newspaper and its technique.
- (d) A number of *bhadralok* youths of some education used a number of places in Calcutta and elsewhere for the purpose of a criminal conspiracy connected with the revolutionary movement, e.g.—
  - (1) No. 32 Muraripukar Road, Maniktala Garden—Explosives found.
  - (2) No. 38-4 Raja Novokissen's Street—Explosives found being prepared here by Hem Chandra Das.
  - (3) No. 15 Gopi Mohan Dutt's Lane—used for storing and manufacture of explosives.
  - (4) No. 124 Harrison Road—Explosives and ammunition stored.
  - (5) Sil's Lodge, Deoghar (about 200 miles from Calcutta)—used for the purposes of this conspiracy.
- (e) Arms, ammunition and explosives were collected; seditious books and literature conveying

instruction in the manufacture of explosives were collected.

- (f) The Chief Justice held that the accused were "for the most part men of education, of strong religious convictions."
- (g) Hem Chandra Das, a *bhadralok* youth, went to Paris to learn the manufacture of bombs and explosives. Ullaskar Datta, another *bhadralok* youth, was self-taught in the manufacture of bombs and explosives.

From the points established, as also from the evidence accepted by the Court, it is clear that a number of *bhadralok* youths combined and collected arms and explosives, and committed various overt and daring acts of crime. Although the persons actually concerned were not very numerous, yet the conspiracy was a remarkable one in many respects. It was the first criminal conspiracy of any magnitude that the revolutionary party started. The conspirators showed enterprise, daring and determination. They succeeded in collecting a fair amount of money. The conspirators were gradually extending the field of their operations. Apart from their headquarters at Maniktala Garden, they used four other places for the furtherance of the objects of their conspiracy—one being an out-of-the-way place near Deoghar in Bihar.

The accused belonged to various castes and came from different parts of the Province. Some were students and others were young men who had entered life. There were teachers as well. Among the number were:—

- (1) Upendra Nath Bannerji, aged 20 years; Brahmin. Passed F.A. and read up to B.A., was a teacher in the Bhadreswar School; acted on the staff of the *Jugantar* as an assistant. He was a

teacher of recruits. Native of Chandernagore.

(2) Sudhir Kumar Sarkar, native of Faridpur, resident of Khulna; Brahmin, read up to the 2nd class of an entrance school. Left school about two years before. Helped in the publication of the *Jugantar*.

(3) Bibhuti Bhusan Sarkar, aged 20 years, Kayastha; student. Native of Santipur, Nadia.

(4) Ullaskar Datta, aged 22 years; Baidya. Occupation cow-keeper. Native of Sibpur, Howrah. Self-taught in bomb-making.

(5) Narendra Nath Bakshi, aged 18 years; student; Brahmin. District Rajshahi.

(6) Barindra Nath Ghosh, aged  $17\frac{1}{2}$  years; Kayastha. District Jessor. Son of a small landholder. Student.

(7) Hrishikesh Hanjilal, aged 29 years. Teacher, Chatra School, district Hooghly. Read up to B.A. Took to teaching with the object of poisoning the minds of students.

The first batch of accused persons were under trial in the Magistrate's Court from the 4th of May to the 19th of August, 1908. There was a second batch, and all those committed were under trial in the Sessions Court from the 14th of October, 1908, to the 4th of March, 1909. Their appeals were disposed of by the High Court some months afterwards. The number of persons committed by the Magistrate to the Sessions Court was 38 in all. While the accused were under trial in the Sessions Court, one of them who had turned approver was murdered by two of the others. These were separately convicted and hanged.

## Second campaign of Barindra and his associates: Its Motives and Objectives

The partition agitation was beginning when Barindra returned to Calcutta in 1904 to reopen his campaign. He was young himself and he addressed his appeal mainly to uncritical and emotional youths already stirred to unwonted depths and enlisted in a popular cause. It is important to hear from himself an account of his motives and methods. He said before the Magistrate on the 22nd of May, 1908, that at Baroda he devoted himself to the study of history and political literature. "After being there a year," he continued, "I came back to Bengal with the idea of preaching the cause of independence" as a political missionary. I moved from district to district, and started gymnasiums. There young men were brought together to learn physical exercises and study politics. I went on preaching the cause of independence for nearly two years. By that time I had been through almost all the districts of Bengal. I got tired of it, and went back to Baroda and studied for a year. I then returned to Bengal, convinced that a purely political propaganda would not do for the country, and that people must be trained up spiritually to face dangers. I had an idea of starting a religious institution. By that time the *swadeshi* and boycott agitation had begun. I thought of taking men under my own instruction to teach them, and so I began to collect this band which has been arrested. With my friend Abinash Bhattacharji and Bhupendra Nath Datta I started the *Jugantar* newspaper. We managed it for nearly one and a half years and then gave it over to the present managers. After I gave it up I again took to recruiting. I collected together 14 or 15 young men from

about the beginning of 1907 till now (1908). I educated the boys in religious books and politics. We are always thinking of a far-off revolution and wished to be ready for it, so we were collecting weapons in small quantities. Altogether I have collected 11 revolvers, 4 rifles and 1 gun. Among other young men who came to be admitted to our circle was Ullaskar Datta. He said that, as he wanted to come among us and be useful, he had learnt the preparation of explosives. He had a small laboratory in his house, without his father's knowledge, and he experimented there. I never saw it. He told me of it. With his help we began preparing explosives in small quantities in the garden-house at 32 Muraripukar Road. In the meantime another friend of ours, Hem Chandra Das, after, I think, selling part of his property, went to Paris to learn mechanics, and, if possible to prepare explosives. When he came back he joined Ullaskar Datta in preparing explosives and bombs. We never believed that political murder would bring independence. We do it because we believe the people want it." Previously, when asked what certain people were doing in his house when he was arrested, Barindra had said: "They are being instructed by me and Upendra Nath in religious and political books."

The idea which prompted the early revolutionary efforts were further explained by some of his associates. In the statement of Upendra Nath Bannerji we read: "As I thought that some people of India would not be made to do any work except through religion, I wanted the help of some *sadhus* (religious ascetics). Failing *sadhus* I fell back upon schoolboys and collected them to give them religious, moral and political education. Since then

I have been mainly engaged in teaching boys about the state of our country and the need of independence, and that the only way left us is to fight for independence and to start secret societies in different parts of the country to propagate ideas and collect arms and rise in rebellion when the time shall be ripe. I knew that Barindra, Ullaskar and Hem were engaged in manufacturing bombs with a view to doing away with the lives of those Government officials who by repressive measures hampered our work, viz., the Lieutenant-Governor and Mr. Kingsford."

Hrishikesh Kanjilal said on the 11th of May, 1908: "I am a teacher by occupation.... At Chandernagore Upen showed me a few copies of the *Jugantar* and I studied them. I decided that we must secure the political independence of our country, and I asked Upen to enquire in the *Jugantar* office whether there was such an organisation in Calcutta to free our country from the foreign yoke. Next day I went to Chatra and I resolved to get a post in the Education Department so that I might preach to young boys the idea that it was by hypocrisy and continued duplicity the English had conquered our country, and I got a post in the Bhadreswar English High School." Another associate said: "When the Government at the time of partition refused to listen to our petition we tried to have *swaraj* (self-government). My heart was touched by reading the *Jugantar* newspaper.

It is important to note that the confessions from which the above statements have been extracted were held by the Chief Justice of Bengal to be free from "the slightest apprehension of sinister influence or pressure." We may therefore safely conclude that the object of Barindra and his associates was to persuade the English-educated youths of Bengal that the British Government

was founded on fraud and oppression, that religion and history dictated its removal. Ultimately the British must be expelled from the country. In the meantime by religious, athletic and educational discipline, a fanatical organisation must be created, which would develop its inspiration by murders of officials, and, as we shall see later, would finance and arm itself largely by the plunder of peaceable Indian folk, justified by the most cynical reasoning.

### **Methods of Influencing Public Opinion**

The associates formed a body called the Anusilan Samiti (society for the promotion of culture and training). One of these societies was soon in working order at Calcutta, the capital of Western Bengal, and another at Dacca, the capital of Eastern Bengal. They extended their ramifications in all directions. At one time the Dacca society had 500 branches in towns and villages. Besides these societies other less formal groups collected; but all were inspired by the same seditious principles and united in creating an atmosphere which would swell their ranks and facilitate their operation. The atmosphere was to be created by "building up" public opinion by means of newspapers, songs and literature, preaching, secret meetings and associations. "Unrest" must be created. Welcome therefore unrest, "whose historical name is revolt!" There was unfortunately already more than enough unrest in both Bengals, but something far more violent and durable was desired by Barindra and his friends. Arbind Ghosh had joined him from Baroda, and the brothers with their immediate followers started various newspapers the most popular of which, published in fluent Bengali, was the *Jugantar* (New Era). This

journal began to pour forth racial hatred in March, 1906, attained a circulation of 7,000 in 1907, and rapidly reached a still wider range before it ceased to appear in 1908 in consequence of the newly passed Newspapers (Incitement of Offences) Act. Its character and teaching entirely justify the comments of the Chief Justice, Sir Lawrence Jenkins, quoting and adopting the following words of the Sessions Judge of Alipore. "They exhibit a burning hatred of the British race, they breathe revolution in every line, they point out how the revolution is to be effected. No calumny and no artifice is left out which is likely to instil the people of the country with the same idea or to catch the impressionable mind of youth." We will here give two passages, both published when the paper was in its mid-career, which announced to thousands of people how the revolutionaries proposed to accomplish their object.

One appeared in the issue of August 12th, 1907, dilating on the ease with which arms could be collected and bombs manufactured, provided that secrecy were maintained; the article proceeded: "There is another very good means of acquiring strength of arms. Many people have observed in the Russian revolution that there were many partisans of the revolutionaries among the Czar's troops. These troops will join the revolutionists with various arms. This method succeeded well during the French Revolution. The revolutionists have additional advantages where the ruling power is a foreign power, because the latter has to recruit most of its troops from among the subject people. Much work can be done by the revolutionists very cautiously spreading the gospel of independence among these native troops. When the time arrives for a

practical collision with the ruling power, the revolutionists not only get these troops among their ranks, but also the arms with which the ruling power supplied them. Besides, all the enthusiasm and courage of the ruling power can be destroyed by exciting a serious alarm in its mind." The other appeared on the 26th of the same month. It purports to be a letter from a mad *yogi* (devotee):

"Dear Editor,—I hear that copies of your paper are being sold by thousands in the bazaar. If at least fifteen thousand copies are distributed in the country, nearly sixty thousand people read them. I cannot withhold the temptation of telling a certain thing to these sixty thousand people and am therefore taking up my pen untimely.... I am mad and crack-brained and a sensation-monger. The cup of my delight becomes full when I see unrest descending in all directions: like deaf dumbness, I cannot rest any longer. News of loot is reaching me from all quarters, and I am dreaming as if the future guerilla bands are looting money and as if the future war had commenced in the shape of petty dacoities (gang robberies)—O Plunder, I worship you today, be our helpmate. You so long hid yourself like a canker in a flower and ate away the country's substance. Come and do again here and there resuscitate the old martial spirit behind the public eye. You made me promise that day that by your grace, the Indians, when they remembered and worshipped you, would get both the money to arm themselves and the military training. That is why I worship you today."

The *Jugantar* was by no means the only newspaper organ of the associates. There were others, such as the *Sandhya*, which proclaimed abroad: "We want complete

independence. The country cannot prosper so long as the veriest shred of the *Feringhi*'s supremacy over it is left. *Swadeshi*, boycott, all are meaningless to us if they are not the means of retrieving our whole and complete independence—Rights granted by the *Feringhis* as favours we shall spit at and reject, and we shall work out our own salvation."

The virulent hatred expressed by such publications was further disseminated by thousands of leaflets which have continued to issue intermittently up to the present time.

### Mental Training Of Revolutionaries

For their own initiates the conspirators devised a remarkable series of text-books. The *Bhagvad Gita*, the writings of Vivekananda, the lives of Mazzini and Garibaldi, were part of the course; and in the words of Mr. Justice Mukherji: "Such principles as the religious principles of absolute surrender to the Divine Will were employed by designing and unscrupulous men as potent means to influence and unbalance weak-minded persons and thus ultimately bend them to become instruments in the commission of nefarious crimes from which they might otherwise recoil with horror." Three books, however, of a mischievous or specially inflammatory kind have particularly attracted our attention.

Next we come to the book *Mukti Kon Pathe* (What is the path of salvation?), which is of peculiar importance as it shows how the conspirators devised and justified the system of raising funds by committing dacoities (gang robberies) on their own countrymen. The whole book, which is a reprint of selected articles from the *Jugantar*, indicates in frank terms the main features of the cam-

paign which was actually carried out. At an early stage, the book denounces the "smallness and lowness" of the ideals of the National Congress. It indicates the correct attitude for recruits to follow in regard to current agitations. "The bands may always join such agitations and undertakings regarding different contemporary events which the present leaders of the country always wish us to join. But it should always be a first consideration that in the case of those undertakings alone which extend over the whole country and which raise a desire for liberty, are the bands to join wholeheartedly and try to be in the foremost ranks .... In the present circumstances of our country there is no lack of undertakings and agitations regarding it; and by the grace of God, the Bengalis are everywhere being initiated by these efforts into a love of the country and a determination to obtain liberty. Therefore, let these by no means be disregarded. But if these agitations be joined without the ideal of freedom being cherished in the heart, real strength and training will never be acquired from them. Therefore as the members of the band will, on the one hand, stake their lives on increasing the scope of the bands, so on the other, they should remain persevering and active in keeping the country excited by these undertakings and agitations."

The book further points out that not much muscle was required to shoot Europeans, that arms could be procured by grim determination and that weapons could be prepared silently in some secret place. Indians could be sent to foreign countries to learn the art of making weapons. The assistance of Indian soldiers must be obtained. They must be made to understand the misery and wretchedness of the country. The heroism of Shivaji

must be remembered. As long as revolutionary work remained in its infancy expenses could be met by subscriptions. But as work advanced, money must be exacted from society by the application of force. If the revolution is being brought about for the welfare of society, then it is perfectly just to collect money from society for the purpose. It is admitted that theft and dacoity are crimes because they violate the principle of the good of society. But the political dacoit is aiming at the good of society, "so no sin but rather virtue attaches to the destruction of this small good for the sake of some higher good. Therefore, if revolutionaries extort money from the miserly or luxurious members of society by the application of force their conduct is perfectly just."

*Mukti Kon Pathe* further exhorts its readers to obtain the "help of the native soldiers—Although these soldiers for the sake of their stomach accept service in the Government of the ruling power still they are nothing but men made of flesh and blood. They too know (how) to think; when therefore the revolutionaries explain to them the woes and miseries of the country, they, in proper time, swell the ruling power. . . . Because it is possible to persuade the soldiers in this way the modern British Raj of India does not allow the cunning Bengalis to enter into the ranks of the Army . . . Aid in the shape of arms may be secretly obtained by securing the help of the foreign ruling powers."

## CHAPTER IV

### THE PRISONERS OF THE ANDAMANS

The Andaman Islands have been well known as the Bastille of India. Large numbers of political prisoners have been sent to its dreaded cellular jails, completely cut off from the outside world, from their country and their near and dear ones. Some found a grave there—martyrs, who died while on hunger strike or in epidemics because of insufficient medical aid.

Three extracts selected here throw a flood of light on life there: the first, taken from Bhai Parmanand, whose sentence of death was commuted to life transportation and who was subsequently removed to the Andamans, describes the voyage from Calcutta. The second, by B. K. Sinha, describes the conditions of life there. The third, from the same writer, describes the hunger strike in which some of the bravest among our patriots lost their lives.

#### I

##### **Bhai Parmanand**

I think it was on the 15th November that orders were received regarding the commutation of our death sentence and seventeen out of 22 of us were taken one by one into a separate enclosure. The remaining five were left behind with Kartar Singh and Pingale. Two other

brave souls, Jagat Singh and Harnam Singh, were also among them. The police were able to get the address of the real Harnam Singh from the Hongkong police and arrest him.

The next morning was to see their execution. But just to relieve their minds they had been asked to appeal. Kartar Singh had originally not cared to appeal and now also refused to do so. Very early next morning they were taken in two batches to the place of execution. We were told that just before ascending the gallows Pingale asked that he might be allowed to say his prayers to the Almighty. "O Lord on high! Thou knowest our hearts. The sacred cause for which we lay down our lives we entrust to Thy care. This is our last prayer." After this they joyfully got ready for the end; the fatal rope was thrown round their neck and in another instant they had yielded up their souls into the hands of their Master.

We who had been left behind were told that we were to be transported for life. We were sorry that we had been separated from our companions. Those among us who were poets sang the praises of their friends on the gallows in many a sacred *In Memoriam*. Some of our companions were wonderful poets in Urdu and Punjabi. I myself have no great attachment to poetry and do not recollect all their productions but the few lines which I happen to remember dwell with passionate fervour on the pride of being Indians and express the poet's gratification at death in the service of Mother India.

It was some six or seven days later that one day we were weighed. We began to suspect that this was by way of preparation for the journey across the "Black Water." But the gaol authorities take pride in doing things in

secret. A little later a clerk came and began to tell us that if any of us wanted to write any letters to friends or relations we should do so now as we were soon to go away. This was, however, only a trick to make us believe that we had some days more to stay in jail. That same evening we were given the special striped clothes, shirt, dhoti and two blankets. We were all handcuffed in pairs so as to leave one hand free.

We were placed in a carriage and taken guarded by policemen on all sides to the railway station, where a carriage was waiting, into two compartments of which we were put along with the police. The carriage was then attached to the train. In a single night we had traversed the whole of the Punjab; we did not even get an opportunity of taking a good farewell look at our own Punjab. We had come out of the jail singing songs; and we also sang as we travelled to our new destination. At the stations people wondered at this and after listening to our songs for a few minutes would wish to know who we were, and somebody would tell them. But as the police did not allow ordinary passengers to come near our carriage, they would stand at a distance and peep. This was the usual sight whenever the train stopped for a few minutes at any station.

It would be useless to detail the miseries of the journey. We had been handcuffed in pairs. If one wanted to rise both must do so; if one wanted to attend to calls of nature both must go and one be looking on. As for lying down there was no room at all and it was out of the question. Three days and nights passed in this fashion before we reached Calcutta. Neither the jail authorities nor the police there had been given any previous intimation of our coming and no special arrange-

ments had been made for our supervision. The policemen who were with us themselves got some hackney carriages and putting us into them took us straight to the Presidency Jail. It was almost midnight by the time we arrived there. The jail authorities counted us in the usual fashion and let us in and kept us in the barracks which accommodated other prisoners bound for the "Black Water." With fetters on hands and feet, carrying blankets, clothes and mats on our heads and two iron bowls in our hands, we must have been a strange spectacle as we entered the barracks and spreading our beds lay down to sleep.

I, for one, began to think that we had been forcibly pulled down from the steps leading to Heaven, and made ready to enter the gates of Hell.

At Calcutta we knew that a convict ship voyaged nine times every year, taking convicts to the Andamans. For five weeks prisoners sentenced to transportation from northern India are collected in Calcutta. Then the same steamer, the *Maharaj*, visits Madras and Rangoon in turn. We had to wait 15 days in the jail at Calcutta. The Superintendent of the jail saw us on the second day and learning the details of our trial and sentences gave orders that we should be kept separate from the rest of the convicts in solitary cells. And special care was taken about our guard. English warders were placed to watch over us.

At last the steamer arrived. It stopped there six days. In the evening all the convicts, numbering above a hundred, among whom were three or four women also, were collected and after being made to walk 3 or 4 miles taken on board the ship. All were thrown into the lowest hold of the ship and even here we were given a

special place. The rest of the convicts could go upon the deck, but this too was forbidden to us.

It is a three days' voyage to the Andamans. On all three days during the voyage we were given beaten rice, parched gram and some sugar-like thing to eat. We had one consolation; we were all together. We passed days and nights in talking and singing. It was in those moments that one fully realised the essentially social nature of man; if he has society, he forgets every sort of misery and suffering. Even at such times the company of friends gives him great relief. In fact, the greatest punishment in jail is solitary confinement—keeping a man in utter isolation from his fellows. So, too, men of religion spend their days for some time in silent solitude in order to make themselves stronger in body and spirit for their exalted work.

On the fourth day of the voyage we could see through the chinks in the side on the ship that we were passing along near the wooded shores of the Andamans. A little later, we had come very near and being taken on deck we saw a hill on the island surmounted by a great fort-like structure. This, we learnt from the police, was the Cellular Jail, our destination.

The ship came to anchor. The doctor of the settlement came and after seeing everything went away. The special police then arrived. We were landed the first of all and taken up the hill in regular line, with our bedding on our heads and our iron bowls in our hands. The convicts and others on the island stood looking on at us talking amongst themselves in whispers, for no one could talk to us. On the very summit of the hill were the jail gates, and the police took us inside. A tall, stout, white man wearing a shirt came out and took charge of

us. The police then left. We were henceforth in the power of this Irishman, the lord of the jail.

There are about fifty islands, large and small, in what is called the Andamans, in the largest of which is situated Port Blair. All are covered with dense jungle in which dwell the wild and naked Andamanese. Scientists are of the opinion that the inhabitants of Java and the Andamans are among the earliest types of the human race. Whether they are the earliest or not, this much is certain, that they form a connecting link between mankind and the animal world. As the jungle is gradually destroyed these people move inwards. At first they had regarded the English, being new arrivals, as their enemies and used to shoot them down with their arrows whenever they met any. They are wonderfully expert in shooting with the bow; they never miss their mark. Even the women and children can use this weapon. They catch fish with spears and live upon the boars and other animals they shoot down with their arrows. They can swim and dive in water with their eyes open. You could throw anything in the sea, even a two-anna piece, and they would dive and fetch it up. They seldom come near the Indian settlement.

Besides these aborigines there is in Port Blair another class of people who are the descendants of convicts. These islands had been discovered towards the end of the eighteenth century, but the climate was so bad that it seemed impossible for man to live there: however, being in the middle of the ocean, with heavy showers during seven or eight months in the year, they are tolerably habitable. The cutting down of forest trees every year, however, decreases the rainfall. Pneumonia, malaria, consumption, fevers and all kinds of tropical

diseases are common. When convicts were first taken there they all died without an exception. But after the great Sepoy Mutiny many prisoners were again taken and confined there of whom some survived. Even at this day the death-rate there is 35 per 1,000, whereas the death-rate in the jails in India is only 18. And this heavy rate exists in spite of the fact that only convicts who are strong and under 40 years of age are brought here.

The forest was cleared to make room for the settlement, and from the very beginning it was a settlement for convicts. After some time, they were set at large, and were even allowed to marry, and the products of these marriages, numbering eight or ten thousand, are still to be found there. Slowly they began to be made to do work for the State and a jail was erected to punish them for their misdeeds.

The "Silver Jail," as it is called, constructed about 25 years ago has three storeys. In its centre is a rotunda from which branch off seven blocks or wards in each of which are lines of solitary cells numbering about forty or fifty.

When convicts are brought for the first time they are kept here for six months or a year, and then sent to other islands where they are made to work for the Government, but at eight o'clock at night are gathered into the barracks. After a few years they are even given tickets of liberty provided their conduct is honest and straightforward—a very difficult thing to find. If they commit any offence such as rioting or theft, they are regularly tried and given the special punishment of the jail.

This was the kind of jail where we were to pass the rest of our lives!

## B. K. SINHA

The jail, as its name signifies, was composed entirely of cellular blocks. The huge brick building was old and dilapidated, with crevices everywhere in its walls. In all the yards the roofs leaked whenever it rained. The cells were dark and dingy, with extremely rough, uncemented damp floors. The cells on the ground floor were the worst.

Despite repeated requests lanterns were not allowed. These were considered articles of luxury. Dozing on their boards the prisoners often woke up startled as there were numerous scorpions and other insects inside the damp crevices and these frequently crawled out in the dark, and sometimes bit the prisoners. At such times, the only help that could be afforded was by the corridor warder who used to be on duty with a lantern.

To this dreadful type of accommodation was added the insufferable climate of the islands. It was of an enervating and depressing nature. For nine months in the year it rained. For weeks together the sun would not be visible. Cold winds and constant drizzling would make the weather cheerless and our comrades would sit in the corners of their gloomy cells. It became so dark sometimes that they were deprived of their only privilege and recreation—the opportunity to devote their time to studies. The atmosphere was also humid and it produced an adverse effect on their nerves that were already strained.

The less said about the medical department the better. It could aptly be described as being conspicuous for having no medical arrangements. Some of the subor-

dinates on whom fell the task of attending to their needs were humorously called by them "Ghora Daktar" (Horse Doctors) for the way in which they applied their art of healing.

My friends could never forget the kind of meals that they had to swallow those days. In the morning the "C" class prisoners were given a cup of rice "Lapsi," i.e., coarse rice boiled in water. Even sufficient salt was not added to it. This delicious morning drink they had to forgo on most days, as in it were found floating white dead worms, the very sight of which killed the little appetite they had. At noon they were served with rice and chapattis with curry and dal. But all these dishes need description for a correct appraisal. The islands had a very poor soil. There was little growth of good vegetables and those were reserved for the use of a few dozen officers of the settlement. For prisoners' rations, vegetables meant greens—inedible leaves with a lot of thick tasteless stalks. The so-called dal was just like rain water from a muddy pool; no trace of gram was to be found in it. Rice and chapattis were of the worst quality. There was the choice of taking both half and half, or any one thing exclusively but it was difficult to make the choice. Flour, rice, vegetables, spices—all things big and small—were brought to the islands from India at long intervals in a Government-chartered ship. They were then stored in the godowns. By the time the supplies reached the jail, most of the things were full of worms. Atta, rice and dal—all three, main items of the diet—were of a quality that could be given for human consumption only at the risk of spreading disease. The chapattis made of flour teeming with worms tasted bitter. From rice that was boiled would pop up long

thread-like dead bodies of worms. The very sight would be nauseating. Our comrades had therefore ceased looking at their meals when eating them. Yet they did not escape the sight of some of them every day. Such comrades would leave their meals in the middle and go away hungry. Those who continued eating understood the sudden departure of their friends but never questioned. They were all young men of petty bourgeois intelligentsia with their own notions of respectability. A convention had grown up that they should be silent on such occasions. It hurt their susceptibility to be complaining to each other about such petty things. But how long could they starve? Such things could not be endured for all time. They were getting ready to fight, and fight to the end. The evening meals were again of the same quality as at noon—a cup of dal, some greens and chapattis.

In Indian jails of the different provinces wherever they had been confined, they had never been given any hard jail task. But now they were all in the Andamans and the authorities had been pleased to detect special talent in them for “Ban-making,” i.e. coir work. They were allotted this task and on its non-fulfilment they were threatened with punishment.

A political prisoner values above all the cultural facilities that he has in his daily life. In the midst of extreme physical hardships he can carry on if only he is provided with reading and writing facilities and gets periodically the news of the world outside. The Government by its experience knew full well this aspect of their lives, and it had therefore taken all precautions to put obstacles in their way. Having been deported hurriedly my friends had been able to take with them only a limited number of books. They had thought that as usual

they would be replenishing their stock of books by regular purchases. But in the Andamans they were not allowed any more to have deposit money in the jail office and use it for purchase of books and magazines. When they asked the jail authorities to supply them with books themselves, they met with a flat refusal. They suffered most from deprivation of newspapers. In India everywhere "B" class prisoners were getting papers at Government cost. But in the Andamans they were given none. Deported to a place hundreds of miles away from their country they were literally dying for some news of the progress of their national movement but even rumours could not cross the high jail walls.

In this scheme of things, it was foolish to expect any facilities for recreation like games, etc. They were never allowed even to move out of their respective yards. Near the Central Tower where one end of all the yards converged, there was a little opening. Lest they should have even a glimpse of anything outside their yard, this place was covered with high corrugated tin sheets. They had to remain all along in their yard. Prisoners of Division II and Division III were not allowed to meet each other.

These were some of the features of the daily life in which our comrades were placed, but to cap it all was the attitude of the authorities. It was vindictive and callous in the extreme; and the political prisoners too did not expect it to be otherwise. But what hurt them were their vulgar manners and singular lack of courtesy.

When the fight against ill-treatment was eventually decided a small committee was formed to go through the preliminaries. A written representation was sent to the Government narrating the grievances and enumerating the demands. They waited for some time but there was no

reply. They then promptly gave an ultimatum of a month.

On the fixed day, thirty-three of them started a hunger-strike. It was May, 1933. There were some more comrades who wanted to wait and come in later. The struggle had begun. The officers were running to and fro, looking perplexed at the concerted attack. The first thing they did was to get all the strikers locked up in the first and second floors of yard No. 5. Three of them had the bad luck to be separated from the rest. Comrades Kamal Dutta and Shukla were taken to a different yard and locked up in cells, one in each wing. A fourth comrade was brought in a few days later. Their four cells were so widely apart that they could not even shout out to each other. They felt bitterly the deprivation of association from their other comrades but there was no way out. The higher officials considered them to be at the root of the trouble and were therefore especially attentive and "kind" to them! For two whole months they had to pass their days in dark cells, with only bits of news of the strike developments filtering in from time to time. The lock-up for all the strikers was for day and night, all through the protracted period of the struggle. The same punishment was meted out to the large number of comrades who had declared "work-strike" and were accommodated in the ground floor of yard No. 3. Over and above, heavy fetters were put on them. In their cells the strikers had little that could be called their kit. That too was now seized and carried away by the jail people, after a thorough search. The jail blanket, a wooden plank, their *jangia* and *kurtas* were all that were left with them. The Division II prisoners who were amongst them were instantly declassified and locked up as others. It was so welcome to them.

Their classification had been a distinction forced upon them, which they had always felt.

The Settlement doctors were completely unnerved. They had no previous experience of a hunger-strike and were at their wits' end. But the senior medical officer, a European, moved about with an air of indifference and nonchalance. He wanted to "teach a lesson," the political prisoners were told. Forced feeding in Indian jails usually begins late, when the hunger-striker becomes weak and is physically disabled to offer stiff resistance. Following the death of Jatin, the Inspectors-General of Prisons of different provinces had held a conference and laid down this definite rule. But the medical authorities at Port Blair were perhaps not aware of it. They started feeding on the sixth day. Several doctors divided themselves in batches in the early morning and followed by their respective gangs of Pathan prisoners, entered the cells one after another and began their work.

Two doctors and a gang entered the cell of comrade Mahabir Singh. He was a typical Thakur of the United Provinces and one of our stout friends. His broad chest, tall figure, and the flowing beard that he had grown of late all reminded one of the brave Rajputs—the heroes whose annals fill the pages of Todd's *Rajasthan*. He was a born soldier and was recognised as such at the very first sight. Of his physical achievements he had made a record outside his party life with us.

The doctors found it a difficult task to get Mahabir overpowered. For long he struggled with the Pathans till by sheer exhaustion he fell down on the ground. The doctors thought that it would be easy now to force feeding on him. They did not know Mahabir. It was his

eighth or ninth hunger-strike. He knew all the arts of baffling medical people and refuse feeding. Only an expert could tackle him. But the doctors were complete novices in the matter. They started the feeding process in a crude manner. When the tube was inserted Mahabir resisted vigorously and coughed hard. The tube was thus transferred into the wind-pipe from the gullet. Pouring of milk began and it went straight into the lungs. Only a hunger-striker knows what superhuman courage and endurance is necessary to keep silent at such times and invite sure death. But had they not decided that some of them must die and pave the way for victory? Our Mahabir also was a party to this resolve and he led the way. The feeding had hardly been finished when his pulse was fast dropping and he had lost consciousness. His lungs had been filled with milk. The doctors had not realised the full gravity of the situation but they sensed danger and immediately removed Mahabir to hospital on a stretcher. When he was being removed, the comrades who were in the adjacent cells got alarmed and cried out to their neighbours. They all shouted to the doctors to learn the exact condition of Mahabir. But none replied. Only the solitary warder on duty came and said, "*Babu, ap log ka bhai bimar ho gaya hai.*" But it was enough. As by intuition they felt that Mahabir was leaving them. Would they not get an opportunity of giving a last revolutionary farewell to their departing comrade? Years ago in Lahore when Jatin died in hunger-strike, we had this privilege granted. Jatin had breathed his last in our arms, amidst his comrades with whom he had pledged together "Victory or Death." No relatives were near him but we were there, his brothers, his comrades-in-arms, to

bid him adieu. We were allowed to carry the bier too to the jail gate where over a lakh of our people had assembled, silent and bareheaded, to pay their homage.

But our callous Andaman authorities had their standards. They did not know of chivalry in a fight. Political prisoners were not even told that Mahabir was dying. The whole day everyone passed restless hours. By evening it was believed that Mahabir had gone. He had followed Ramkrishna. The comrades on work-strike had grown terribly excited. When they were gathered for meals they refused to be locked up until jail officers came and gave them full authoritative reports of Mahabir's end. The authorities were in a dilemma. They sensed the defiant mood of these comrades and feared great trouble. It was not that the prisoners were unaware of this aspect. They had discussed it. They expected there might be shooting—a second Hijli—and they were prepared for it. The authorities threatened, and with the use of the least possible force by their hundreds of warders, they forced a lock-up. There were scuffles, assaults. Some of our comrades were injured . . .

The nation has hoisted the flag of revolt. Fighting under the banner many of their comrades had fallen in the past. Today Mahabir also had perished. Many more will die tomorrow, till our goal is reached. On that day the nation will remember its martyrs. The flag shall be flying high. Our victorious people will rend the air with their thundering cries, "Inquilab Zindabad." Such are our revolutionary struggles, their beginning and end. There was no end to such thoughts with which they lay awake during that long night.

To this day it is not known definitely what happened to Mahabir in the hospital and how he was treated during

the last moments of his life. When the strike had terminated we heard a report that his dead body was tied to heavy stones and sunk in the sea in the dark hours of the morning. No wreaths were laid, no funeral orations delivered, the dead body that the nation would have treasured and worshipped went down in the ocean to be the food of sharks. I recalled how Mahabir's intimate comrade, Sirdar Bhagat Singh, too had, some years before, received at Government's hands such honour and treatment after his death. The coincidence was not strange.

The struggle now became more grim.

Mohit and Mohan were removed to hospital. With the help of repeated injections and oxygen they were kept alive for a few days.... Death, glorious death, slowly covered their lives and took them away from the midst of their comrades. They had gone to the realm of martyrs, leaving the rest to carry on the battle.





Photo by Sunil Jan

**GANDHIJI**

## CHAPTER V

### GANDHIJI'S THIRD JAIL TERM IN SOUTH AFRICA

The story of the Indian *Satyagraha* in South Africa under the leadership of Mahatma Gandhi, the terrible conditions under which the Indians were called upon to live, hardships and humiliations to which they were subjected, produced both a unique and remarkable method of struggle. The leader was Mahatma Gandhi; the technique of struggle was non-violent passive resistance. The story of his experiences in South Africa has been related by Gandhiji in *Satyagraha in South Africa* (Translated from Gujarati by Valji Govindji Desai; S. Ganesan, Triplicane, Madras, 1928. pp. 511).

The following extracts relate to the third jail-term of Gandhiji. He was awarded three months' hard labour and was put in Volksrust Jail where his companions were Daud Mohamad, Rustomji Sorabji, Pillai, Hajur Singh. Five days later on a cold, dark and rainy night he was removed to Pretoria. "I was asked," writes Gandhiji, "to be ready at once, and my warder and I had to go to the station in pelting rain walking on hard road with my luggage on my head." He left by the evening train in a third class carriage.

#### **Pretoria Jail: The Beginning**

"We reached Pretoria on the 3rd, and found everything new. This jail was newly built, and the men were

new. I was asked to eat but I had no inclination to do so. Mealie meat porridge was placed before me. I tasted a spoonful only and then left it uneaten. My warder was surprised at it, but I told him I was not hungry, and he smiled. Then I was handed over to another warder. He said, "Gandhi, take off your cap." I did so. Then he asked, "Are you the son of Gandhi?" I said, "No, my son is undergoing six months' imprisonment at Volksrust." He then confined me in a cell. I began to walk forwards and backwards in it. He saw it from the watch-hole in the door, and exclaimed, "Gandhi, don't walk about like that. It spoils my floor." I stopped and stood in a corner, quietly. I had nothing to read even, as I had not yet got my books. I was confined at about eight, and at ten was taken to the Doctor. He only asked me if I had any contagious disease and then allowed me to go. I was then interned in a small room at eleven where I passed my whole time. It seemed to be a cell made for one prisoner only. Its dimensions were about 10 by 7 feet. The floor was of black pitch, which the warder tried to keep shining. There was only one small glass window, with iron bars, for light and air. There was electric light kept to examine the inmates at night. It was not meant for the use of the prisoners, as it was not strong enough to enable one to read. When I went and stood very near it, I could read only a large-type book. It is put out at eight, but is again put on five or six times during the night, to enable the warders to look at the prisoners through the watch-hole.

"After eleven the Deputy Governor came and I made these requests to him: for my books, for permission to write a letter to my wife who was ill and for a

small bench to sit on. For the first, he said, he would consider, for the second, I might write, and the third, no. Afterwards I wrote out my letter in Gujarati and gave it to be posted. He endorsed on it that I should write it in English. I said my wife did not know English, and my letters were a great source of comfort to her, and that I had nothing special to write in them. Still I did not get the permission, and I declined to write in English. My books were given to me in the evening.

"My midday meal I had to take standing in my cell with closed doors. At three, I asked leave for a bath. The warder said, 'All right, but you had better go there after undressing yourself.' The place was 125 feet distant from my cell. I said if there was no special objection to my doing so, I would put my clothes on the curtain there and take my bath. He allowed it, but said 'Do not delay.' Even before I had cleaned my body, he shouted out, 'Gandhi, have you done?' I said, 'I would do so in a minute.' I could rarely see the face of an Indian. In the evening I got a blanket and a half and a cot to sleep on but neither a pillow nor a plank. Even when answering a call of nature I was being watched by a warder. If he did not happen to know me, he would cry out, "Sam, come out." But Sam had got the bad habit of taking his full time in such a condition, so how could he get up at once? If he were to do so, he would not be easy. Sometimes the warders and sometimes the Kaffirs would peep in, and at times would sing out 'Get up, get up.' The labour given to me the next day was to polish the floor and the doors. The latter were of varnished iron, and what polish could be brought on them by rubbing? I spent three hours on each door, rubbing, but found them unchanged, the same

as before. The floor dirt showed signs of a little change. There were Kaffirs working with me and they used to tell me the stories of their crimes in broken English, and in return asked me my crime. Some asked me if I was in for theft, and others, for selling wine. When I explained the facts to one of them, capable of understanding the situation a little, he said, "Quite right, you did well, Amluqu bad (i.e. the whites are bad). Don't pay fine." My cell was inscribed 'Isolated,' and it had five such other cells adjoining. My neighbour was a Kaffir undergoing punishment for attempted murder and there were three others, who were convicted of committing unnatural offences. It was in the company of such people and under such conditions that for the third time I was in jail."

### Change of Work

"I was first asked to clean doors and floors. I did it for ten days. Then I was given the work of sewing two tattered blankets into one. This was a taxing work, because I had to sit on the floor in a bending position the whole day to do it, and that too inside the cell. So that at the end of the day my waist began to ache, and my eyes were injured too. The air of the room was bad of course. I requested the Chief Warder once or twice to send me on outdoor work for digging, etc., or in the alternative to allow me to sew the blankets in the open. He refused. I wrote to the Doctor about it, and ultimately the Doctor ordered that I should be allowed to do the work in the open air. I believe if I had not got this permission my health would have been more affected. I had some difficulty in getting even this order. The upshot of my agitation was that my diet was

changed and I was allowed to work in the open. Thus I secured a double advantage. When this blanket work was first given, it was thought that each of them would take up a week in sewing and weaving, and I should have to pass my whole term in doing so, but instead of that, after finishing the first one—I was able to turn out one pair in two days—other work had to be found for me, such as putting on warm wool to *guernsey* frocks, sewing on ticket pockets, etc."

## CHAPTER VI

### THE MASSACRE OF JALLIANWALA BAGH

World War I was fought, it was said, to make the world safe for democracy. The fourteen points of President Wilson echoed and re-echoed throughout the world. The British, on their part also had promised freedom to India; but with the Allied victory came 'disillusionment. Instead of Home Rule came the Rowlatt Act. Gandhiji, who till that time had been a loyal supporter of the British, was deeply hurt and antagonised and started the Non-co-operation Movement. All over India, starting from April 6th, 1919, there were demonstrations, meetings, processions and hartals.

There were disturbances in several parts of the Punjab. Brigadier General Dyer was stationed at Amritsar as Officer Commanding and, anxious not only to quell any demonstration of public feeling but also to crush out all sedition and disaffection, took "strong" action.

A peaceful public meeting was held at the Jallianwala Bagh. He massed his troops and without warning ordered fire on the people till his ammunition was exhausted. The slaughter and panic that followed are indescribable; the dead and the wounded were left unattended the whole night. In the days that followed, beating, whipping, and shooting, crawling orders and Martial Law, became the order of the day. The news of all this frightfulness was suppressed.

The meeting at the Jallianwala Bagh on which General Dyer ordered fire has passed into history. The interesting question arises as to who organised it. In the investigations that followed, some sensational revelations came out, which are not even to this date known to the general public. Among its organisers and one who also addressed the meeting, was a police spy and *agent provocateur*, called Hans Raj. In the vast mass of evidence given before the Congress Inquiry Committee on the Punjab disturbances, a good deal of new material will be found by students of the Indian Nationalist Movement. The following is one such extract from the verbatim report. It speaks for itself and throws a flood of light on the part that spies and *agents provocateur* have played in revolutions, and the intended results that have followed in their wake:—

#### **The Statement of Seth Gul Muhammad**

Q.—Do you know Hans Raj?

A.—Yes.

Q.—How long have you known him?

A.—I have known him for the last four or five years, but have not seen him since the day after there was firing at Jallianwala Bagh.

Q.—Can you tell us whether he was employed at all during these four or five years?

A.—Yes. He was employed as a clerk in the Union Club for a time. He was also a Travelling Ticket Checker in the Railway. He was dismissed for defalcation from both these posts. Thereafter, for a long while he was without any employment.

Q.—Have you any idea as to how he was making his living during the period he was unemployed?

A.—I have no definite knowledge, but I can tell you what my idea is.

Q.—What is your idea about it?

A.—Hans Raj's mother and wife are women of loose character, and I believe that Hans Raj used to live on them. I suspect also that he used to get something from the police, but this struck me after the Jallianwala Bagh incident.

Q.—The hartal on the 6th of April—was it spontaneous, or was it engineered?

A.—It was quite spontaneous, although I saw Hans Raj asking people to suspend business. From what I could judge, no such request was necessary.

Q.—Did you take part in the Ram Naumi procession on the 9th of April?

A.—Yes. I was with Ghulam Jilani.

Q.—Did Hans Raj take part?

A.—Yes.

Q.—When did you hear of the deportation of Drs. Kitchlew and Satyapal?

A.—At about 12 noon on the 19th of April, when I saw a large crowd going towards Hall Gate.

Q.—Did you join the crowd?

A.—Yes. I followed it.

Q.—What was the attitude of the crowd when you first saw it?

A.—It was quite peaceful. The people said that they were going to the Deputy Commissioner to appeal to him for the release of the doctors. That is why I followed the crowd.

Q.—Now, tell us very shortly what happened.

A.—I followed the crowd till it had reached the Railway bridge. I was quite at the back of the crowd at some distance. I could not see or hear what exactly took place between the authorities and the crowd. But I heard the report of firing, upon which I and many others ran towards Hall Bazaar. I then went to my *baithak*, I saw in Sarai Khan Muhammad Shah Wali. From the *baithak*, I saw four wounded persons being carried on a *charpai* to Dr. Kidar Nath's house for treatment.

Q.—Is Dr. Kidar Nath's house visible from your *baithak*?

A.—No. But I heard the people say that they were going to Dr. Kidar Nath for treatment.

Q.—Did you attend meetings in those days?

A.—Yes. Many.

Q.—Did you see Hans Raj in these meetings?

A.—Yes. He addressed many meetings.

Q.—Did you attend the meeting at Dhab Khatikam on the afternoon of the 12th of April?

A.—Yes.

Q.—Who spoke at that meeting?

A.—Hans Raj and others spoke.

Q.—Did you attend the Jallianwala Bagh meeting on the 13th?

A.—Yes.

Q.—When did you first hear that a meeting would be held at the Jallianwala Bagh?

A.—At the meeting held on the 12th, Hans Raj announced that a meeting would be held on the 13th at the Jallianwala Bagh and that Lala Kanhyal Lal would preside over that meeting. He also announced that this would be proclaimed by beat of drum, so that the people who were not present at that meeting

could inform their friends about it.

Q.—Before the 13th of April, had you ever seen Hans Raj in company with any member of the police force?

A.—Yes. I saw him several times with a Sikh Sub-Inspector whose name I do not know, but whom I saw afterwards taking down statements at the Kotwali. Hans Raj was on terms of friendship with this man. On several occasions I had seen them together in the bazaar.

Q.—Did you ever see him coming to Hans Raj's house?

A.—No. I did not myself see that, but I heard from other friends of Hans Raj that this Sikh was a friend of his.

Q.—How long from the 13th of April had you been seeing Hans Raj in the company of this Sikh?

A.—For about two months.

Q.—Why did you make any enquiries from Hans Raj's friends about this Sikh?

A.—Hans Raj used to come to my shop with his friends every now and then. Afterwards, when I saw this Sikh in his company, I enquired about him from some of Hans Raj's friends.

Q.—What did they tell you about him?

A.—Nothing particular. They smiled and said they are now great friends.

Q.—At what time did you go to the Jallianwala Bagh on the 13th?

A.—At about 2 p.m. with Hans Raj. Hans Raj took me there along with other persons to make arrangements for the meeting which was to come off at 5 p.m.

Q.—When you got there, who made the arrangement about *takhatposh* (platform) and other things?

A.—Hans Raj, and we helped him.

Q.—Did you see any police officers there, when you

were making arrangements?

A.—Yes. I saw two C.I.D. officers. I don't know their names, but I know they are C.I.D. officers. One of them was a Muhammadan and the other a Sikh—not the Sikh Sub-Inspector who was Hans Raj's friend but another officer.

Q.—How do you remember this? Was there anything to attract your notice?

A.—Yes. I saw them taking away Hans Raj to some distance and speaking to him.

Q.—Could you hear what they said?

A.—No.

Q.—Were you there all the time before the soldiers arrived?

A.—No. Sometime later, when it was Nimaz time, I went to the mosque close by to say my prayers.

Q.—Did you come back to the garden?

A.—Yes, at about 5 o'clock.

Q.—How long after you came back to the garden did you see the soldiers?

A.—Just as I arrived near the platform. I saw soldiers coming in through the main gate.

Q.—What happened then?

A.—The people who were seated got up and were running away. Hans Raj then shouted out, "Don't be afraid, sit down, Government will never fire." Some of them ran away, but good many of them again sat down. I hesitated a moment and then ran away. As I was running away, I heard the sound of firing and I saw many men falling down. Luckily I escaped.

Q.—Which way did you run out of the garden?

A.—I ran away by climbing over the wall near the well. I went straight home.

Q.—Did you see Hans Raj again?

A.—Yes. On the next morning at about 8 o'clock, he came to my shop.

Q.—Did he say anything to you?

A.—Yes.

Q.—What did he say?

A.—He said that the police were after him and that he would be arrested. He asked me to be careful as the police might arrest me also.

Q.—Did you say anything?

A.—I said that I had committed no offence, and I was not afraid of the police.

Q.—Did you know whether Hans Raj was arrested or not?

A.—Yes. He was arrested. I don't know on what date. I saw him in the Kotwali.

Q.—Were you arrested?

A.—Yes. On the 20th of April I was arrested while I was offering prayers in the Hall Bazaar and taken to the Kotwali and I was confined in the Kotwali for ten days.

Q.—Tell us shortly what happened during these ten days.

A.—I was asked to give false evidence, and I was oppressed in many ways.

Q.—Tell us exactly what happened.

A.—When I arrived at the Kotwali, Jowahar Lal, C.I.D. officer, caught hold of my beard and slapped me so hard that it made me reel for a while.

Q.—But why did he slap you all at once?

A.—I will tell you everything, hear me. He began by slapping me as I have said. He then asked me to state that Drs. Satyapal and Kitchlew had instigated me to bring about the hartal on the 6th, that they

had encouraged me by saying that they would use bombs to drive out the English from the country. I refused to make a statement, containing such falsehoods. Jowahar Lal then asked his underlings to take me aside and to make me "all right". I was then taken a few paces from Jowahar Lal's office table and asked by a number of constables to please Jowahar Lal by doing what he wanted me to do. I still refused. They then caught hold of my hand and placed it under the leg of a cot, over which seven or eight constables were sitting. When the pain became unbearable I cried out, "Leave my hand—I will do whatever you ask me to do." I was then taken to Jowahar Lal again. He asked me to make that statement before him. I refused to implicate Drs. Kitchlew and Satyapal falsely.

Q.—What happened then?

A.—That day I was kept confined in a room. The next two days I was again beaten, slapped, and caned. Still, I refused to give false evidence. They then threatened me that they would make me an accused and I would be hanged. I still refused. On the 6th day, I was again mercilessly caned by Jowahar Lal and slapped and beaten on three or four occasions during the day. It was one continuous beating from morning till evening. I believe I was beaten that day ten times in all. At the end of it, Jowahar Lal asked me if I had become "all right." I said I was prepared to die, but not give false evidence. On the 7th day, I was again beaten but not caned. I felt I was going to die, but still I refused to make that statement. They beat me again—they slapped me—they caned me—and then they dragged me near a

cot and placed my hand again under the leg of a cot and several constables sat on the cot. After a few minutes, I shrieked out that I was willing to make any statement they wanted of me.

Q.—What happened then?

A.—I was taken to Jowahar Lal's office room and I asked him to write out any statement he wanted me to make. He wrote out a statement by which I agreed to abide. Two or three days later I was taken to Aga Ibrahim, Magistrate, before whom I repeated the same untrue statement.

Q.—Did you meet Hans Raj in the Kotwali?

A.—Yes. Before I had made the untrue statement to Jowahar Lal.

Q.—Did he say or do anything?

A.—Hans Raj advised me to act according to the dictates of the police. He tried to induce in various ways. I told him that I would prefer death to speaking a falsehood.

Q.—In what condition did you find Hans Raj?

A.—I found him quite jolly and comfortable. He laughed when the policemen tortured me.

Q.—After you made your statement to the Magistrate, were you let off?

A.—Yes, but on condition that I made my appearance at the Kotwali every day. From that time I had to attend the Thana every day and had to wait there sometimes for two hours, sometimes for three hours and so on.

Q.—How long did this continue?

A.—Till the 9th of June when I was taken to Lahore under police escort.

Q.—Where did you stay at Lahore?

A.—I was taken to Lala Jowahar Lal's house near Nila Gumbaz. He asked me to stick to the statement I had made before him.

Q.—What did you say?

A.—I said nothing, although I had made up my mind to tell the truth in Court.

Q.—What happened after that?

A.—On the 16th of June, I was produced before Sheikh Rahim Bakhsh and two other English judges. I told the truth before them. I also told them that the police had tortured me. When I left Court, I was again beaten by Jowahar Lal. Eventually I was allowed to come back to Amritsar.

## CHAPTER VII

### JATIN DAS' HUNGER STRIKE

Jatindra Nath Das, a noted young revolutionary, commenced hunger-strike in the Lahore jail on 13th July 1919 in sympathy with Bhagat Singh and with a view to securing better treatment for political prisoners in jail. On the 63rd day of the hunger-strike he passed away in the Borstal Jail near Lahore. A new martyr's name was added to the nation's calendar of heroes due to the careless indifference of British bureaucracy from the beginning of the fast to its tragic end.

Over 100,000 people followed the body which was ultimately taken to Calcutta at the suggestion of Subhas Chandra Bose. Mohanlal Gautam, Dr. Benaresi Das, A.C. Bali, and Jatin's sister Pramila Devi accompanied the body to Calcutta. Thousands on the way gathered at the station to have a glimpse of the martyr-patriot.

The story of the hunger-strike is reproduced below in newspaper headlines from day to day. They reflect the hope, the anxiety and the grief of the Indian people as Jatin's condition became worse day by day. The most notable speech in this connection in the Imperial Legislative Assembly was that of Mr. M. A. Jinnah. After Jatin's death, the Government introduced reforms and new classification of prisoners into A, B and C classes which set in more complications.

Jatin Das by his supreme sacrifice added a new chapter to the history of the freedom movement.

### **Jatin's Fast Unto Death**

#### **1929: 13th July**

Jatindra Nath Das and other co-accused commence hunger-strike in sympathy with Batukeshwar Dutt and Bhagat Singh

#### **26th July**

Accused Das on Death-bed

"Result of Forced feeding" complain his comrades, "British Court will be responsible for his death"

One more accused, Mr. Jatindranath Das, whom one of the accused described as on death-bed could not put in his appearance in court today, bringing the number of absentees to six.

Asked by the Magistrate, Major N. D. Puri, I.M.S., D.I.C. said: "There are two prisoners in the Central Jail of Lahore, Mr. Dutt and Bhagat Singh, and eleven persons in the Borstal Jail who are on hunger-strike. They are given artificial feeding to which they offer resistance. J. N. Das has been admitted into hospital.

The Court gave permission to Mr. Ganesh Shanker Vidyarthi to interview all the accused collectively and individually to persuade them to give up the hunger-strike.

#### **27th July**

Dutt and Bhagat Singh's 43rd Day of Fast

It is understood Jatindranath Das is still lying in the hospital in a precarious condition. He has refused taking injection and is suspected to have developed pneumonia. His temperature is 103 degrees. All the eight absentees are having fever and forced feeding has been

given up. Dutt and Bhagat Singh are on the 43rd day of their hunger-strike while all the other accused are on their 13th day.

Number of Absentee Accused swells to Eight.

## 2nd August

Lahore hunger-striker's critical condition

Mr. Kiranchandra Das, brother of Jatindra Das, who is on hunger-strike for the last 19 days wires to Subhas Chandra Bose as under:—

“Dada's condition hopeless, pulse 45, Doctors silent, Wire instructions.”

## 3rd August

Hunger-strike in Lahore Jail

Subhas Bose to see Accused

Mr. Subhas Chandra Bose has addressed a telegram to the Punjab Government asking permission to interview the hunger-striking accused in the Lahore Conspiracy Case with a view to persuading them to give up their hunger-strike.

From inquiries made in Jail this evening, it is learnt that there has been a slight improvement in the general condition of Jatindra Nath Das who is on hunger-strike for the last 20 days.

Dr. Gopichand Bhargava saw him today. The doctors reasoned with him for four hours requesting him to take medicine, diet and water. Das, though obdurate at first has, it is stated, agreed at last to take as much water as was necessary to keep his throat wet.

## 5th August

Dutt's condition getting worse

Plight of hunger-strikers in Lahore Jail

Mr. Jatindra Nath Das' condition is reported as same if not worse today. He felt severe pain in the stomach and had no sleep last night. It was early this morning that he felt relief.

### 9th August

Lahore hunger-strike

Prisoner's condition gets worse

With a view to prevailing upon Jatindra Nath Das to take some medicine, etc., it is understood that Sardar Bhagat Singh was brought to the Borstal Jail to meet Das yesterday at 5.00 p.m.

Bhagat Singh remained with Das the whole of that night and left the latter in the morning at 11.00. It is further understood that Das on the request of all took enema last night. He is still very weak and his condition is still said to be critical. He is reported to have taken a little water mixed with sugar and lemon.

Enquiries in the evening show Jatindra is feeling better although there has been a rise in his temperature.

Pandit Nehru paid him a visit.

### 10th August

Critical condition of hunger-strikers

Pandit Jawaharlal interviews them in Jail

Firm in their resolve to suffer for principle

Pandit Jawaharlal Nehru who interviewed the hunger-strikers in the Lahore Conspiracy Case in the course of an interview to the Press said: "I visited the Central Jail and the Borstal Jail yesterday and saw Bhagat Singh, Batukeshwar Dutt, Jatindranath Das and all the other accused in the Lahore Conspiracy case who are on hunger-strike. Attempts have been made for many days now to feed forcibly all these hunger-strikers. In

the case of some of them results of this forcible procedure were so injurious that forcible feeding had been given up in the face of a greater danger. Some of the accused are just maintaining a measure of strength on account of the forcible feeding which was given twice a day. The others are in a bad way. Those who cannot be forcibly fed lest they die under the force used cannot obviously survive long. Now if the present conditions continue, they are dying slowly from day to day and the final act in the tragedy cannot be long delayed.

“The condition of Jatindranath Das is specially critical. He is very weak and cannot easily move. He speaks in whispers. He is in considerable pain and looks for release in death. The others whose condition is serious are Shiv Varma, Ajoy Kumar Ghosh, and Jaidev. It was very painful for me to meet those extraordinary brave young men and see their manifest suffering. I gathered from them that they would adhere to their resolve, whatever the consequences to their individual selves. Indeed they do not care very much for their own selves. They would not undergo such tremendous suffering for the little personal comfort in the future. They feel strongly, however, that the lot of the political prisoners in India is bad and must be improved. The position as explained to me by Bhagat Singh was that all the political prisoners, with one exception if necessary, should be given treatment. This exception was the case of the actual perpetrator of ‘murder.’ I can only hope the great sacrifice which these young men are making will bear fruit.”

**12th August**

60 days without food

**Bhagat Singh and Dutt**  
**Heroic martyrdom**

Bhagat Singh and Dutt enter on 60th day of hunger-strike while Jatin Das and others enter on the 30th day. Last night Das had high fever which came down to 99.4 this morning. He vomited water and had no sleep. Though repeatedly requested by Doctors in attendance to take medicine, Das is reported to have refused to take medicines.

**15th August**

On threshold of death

Plight of hunger-strikers in Lahore Jail

According to reports, Jatin Das had no fever yesterday and this morning but is very weak. He is taking water. It is reported he is suffering from pain in chest and stomach. When arrested Das weighed 148 lb, and now weighs 109 lb.

**16th August**

Starving to death for a principle

22 brave souls on hunger-strike in Punjab Jail

Bhagat Singh and Dutt have reached the 63rd day of the hunger-strike and 11 other accused in the Conspiracy Case have reached the 33rd day.

Das is reported to be still feeling pain in the stomach and chest and vomited all water.

**21st August**

Hunger-strikers kept in solitary cells

Condition of Lahore prisoners getting worse

Information to hand till this evening about hunger-strikers indicates that condition of Jatindra Nath Das remains unchanged. He is still refusing any medicine.

**23rd August****Hunger-striker's critical condition**

According to information received this afternoon, the condition of Jatin Das remains unchanged. His temperature is below normal with pains all over, specially in the stomach and chest. His heart is said to be weak and his present weight is 103 lb.

**28th August****Jatin Das on death-bed****Unable to open eyes and keeps irregular pulse**

From enquiries made late this afternoon, it is learnt Jatin Das is reported to be in a precarious condition. His brain is reported to be getting feeble and he can neither speak nor see properly. His left leg has almost been paralysed. It is reported, his palms are cold and pulse irregular and that he cannot open his eyes as he feels pain and vomiting sensation.

**30th August****Hunger-striker's plight in Lahore Jail**

From enquiries made of the medical authorities of the Jail, it is learnt the condition of Jatin Das has grown worse than yesterday. Das persistently refuses all kinds of medicine including external applications. He still feels pain and is vomiting.

**2nd September****Jatin Das loses 57 lb.****Unable to see or speak**

The condition of Jatin Das which was reported to be a bit better day before yesterday has again become critical since yesterday. It is reported Das passed a sleepless night tossing in bed the whole night. It is also

reported Das took medicated soda but could not retain it.

Bhagat Singh and Dutt were again brought yesterday in a tonga from the Central Jail to request Jatin to take injection. Dr. Gopichand who was also present at the time joined in the request but Das was unyielding.

Das' left side down to the waist has become paralysed. Blood circulates only in his chest. He cannot open his eyes, nor can he speak. He intimates his requirements with movements of hands and is able to move in bed only with great difficulty. His weight at present is 92 lb., thus recording a loss of 57 lb. His pulse beat is irregular.

### **3rd September**

Hunger-strike in Lahore Jail ends

Prisoners yield to Jail Committee's persuasion

Committee Recommends Release of Jatin Das

As a result of the intervention by the Punjab Jail Enquiry Committee the undertrial prisoners in the alleged conspiracy case at Lahore have agreed to bring their hunger-strike to an end.

The Committee in their statement says: "We earnestly expect that in view of the critical condition in which Jatindra Nath Das is lying in Jail, the Government will please order his release immediately."

Jatindra Nath Das is lying in a semi-conscious condition, and there is very little hope of his recovery.

### **4th September**

No hope of Jatin Das' recovery

As a result of the abandoning of the hunger-strike the accused in the alleged conspiracy case are progressing satisfactorily in their health except Jatindra Nath Das, the chances of whose recovery are nil. He continues to

be in a semi-unconscious condition.

Preparation for conveying body

Seeing that medical men are unanimously of the opinion that Jatindra Das could not live long, his brother Kiranchandra Das applied yesterday to the N.-W. Railway for the conveyance of the dead body to Calcutta.

### 5th September

Lahore Jail official gets nervous!

Jatin Das refuses bail

It is reliably known that the Government is not prepared to release Jatin Das unconditionally.

Enquiries show that the condition of Jatin Das is worse. He vomited several times today, and had fever. His pulse is rapid.

### 6th September

Hunger-strike resumed in Lahore Jail

500 convicts refuse evening meals

Jatin Das on death-bed

His last wish: "Cremate me by the side of my mother in Calcutta."

It is stated that the Jail Enquiry Committee had been assured that Jatindra Nath Das would be unconditionally released. As this has not materialised, resumption of hunger-strike in batches of three or four is reported to have been decided upon.

With the power of speech and the power of sight gone and his left side paralysed, Jatindra Nath Das is lying between semi-conscious and unconscious state. With great difficulty and utmost effort this morning he made his last wish known to the Superintendent, Borstal Jail, and the Chief Medical Officer to cre-

mate him at Calcutta by the side of his mother and sister.

It is reported that the authorities contemplate removing Jatin Das tonight to the Mayo Hospital and for this purpose Room No. 15 in the hospital has been kept specially fitted up since this afternoon. Also special police arrangements have been made in and about the hospital.

### **7th September**

Jatin hovering between life and death

May expire any moment

Enquiries made late this evening show that Jatin has got high fever and is very restless. His pulse beat is very rapid and he is not taking any water even.

Sjt. Subhas Chandra Bose, President, Bengal Provincial Congress Committee, has received the following telegram from Mr. Kiran Das, brother of Jatin Das, now staying with him in Lahore: "Dada may expire any moment. Follow Press report."

### **10th September**

Jatin Das gets high fever again

Anxious inquiries

Anxious inquiries from various places are being received by Kiran Das about his brother's health.

In the event of the worst happening, leaders and other public spirited people in the Punjab are collecting funds to meet the necessary expenses to give a fitting send-off and safely convey Jatin's remains to Calcutta according to his wishes.

Jatin's Weight only 89 lb.

Condition Critical

Enquiries made this evening show Jatindra Das

had collapse of hands and feet last night at about 7.0 and remained so for about half an hour. He is reported to have had high fever last night which continued to this day. His present weight is stated to be 89 lb., which shows a loss of 60 lb.

### 11th September

Jatin's life must be saved at all costs

Mahatmaji appealed to intervene

MacSwiney tragedy re-enacted in Lahore

60 days without food

Jatin Das who completes today the 60th day of hunger-strike and in the course of which he was forcibly fed only once, and on all other days had refused all diet, even water, now lies motionless, more dead than alive. His brain gone anaemic, with power of speech and sight lost, symptoms now perceptible in him are so subtle that they could be detected only by the trained view of a medical man.

As Das refused to submit to any treatment, and as none from outside is allowed to interview him, it is very difficult to say anything precisely about his real state of health excepting that he is slowly heading towards death.

### 14th September

Jatin lays down life at altar of Motherland

Glorious martyrdom crowns a youthful career of service and sacrifice

A victim of bureaucratic callousness

63 days without food!

End of a brave fight to vindicate politicals' right

It is reported that Jatindra Nath Das breathed his last at five minutes past one today.

Jatin Das went on hunger-strike on July 13, in

sympathy with the demands put forward by Bhagat Singh and Batukeshwar Dutt, co-accused in the Conspiracy case for better treatment to political prisoners.

Thousands follow martyred youth's bier  
Nation-wide mourning.

## CHAPTER VIII

### THE HISTORIC TRIAL OF 1922

Mahatma Gandhi during an eventful life has been arrested in all seventeen times. The first arrest was on June 10, 1908, at Johannesburg in South Africa. The last in Bombay on August 9, 1942.

While his latest arrest started the August Rebellion of 1942 and the biggest conflagration in recent annals of India, posterity will have to remember the Great Trial in 1921 at which he was sentenced to six years' imprisonment.

The background of the trial was the Non-co-operation Movement. Gandhiji's advent in Indian politics changed its entire course. The Indian National Congress from a middle-class party, was transformed into a mass organisation, direct action was accepted in lieu of constitutional agitation, and non-violent methods of resistance received the seal of national approval.

With the slogan "Swaraj Within A Year," Gandhiji put forward the programme of Non-co-operation and called for the triple boycott of Legislatures, Law Courts and Government-controlled educational institutions and a renunciation of titles. The whole country was permeated with a new spirit of hope and a new spirit of unrest. The suppression by Government began in right earnest. Thousands were jailed including C. R. Das, Motilal Nehru and Abul Kalam Azad.

Anti-Government disturbances took place at several places. Ultimately the mob violence at Chauri-Chaura, an obscure place in the Gorakhpur District in the United Provinces, induced Gandhiji to suspend the movement, which was to be launched in the first instance at Bardoli.

In his statement Gandhiji referred to the violence at Bombay, and how dear non-violence was to him. He ended by saying: "But the bitterest humiliation was still to come. Madras did give the warning, but I heeded it not. But God spoke clearly through Chauri-Chaura."

The national excitement had been worked up to fever-heat, but the suspension came as a terrific anti-climax. Many of the leaders in prison disapproved of the suspension by the apostle of non-violence. Jawaharlal Nehru in his *Autobiography* and Shri Rajagopalachari in his *Jail Diary* have recorded their strong feelings against it.

The die, however, was cast. Profiting by the suspension of the movement and the reaction that followed, the Government arrested Mahatma Gandhi on the night of 11th March, 1922.

After a preliminary trial the case of Gandhiji and Shankarlal Bunker came up before Mr. C. M. Bromfield, I.C.S., District and Sessions Judge of Ahmedabad. The charges against Gandhiji were the publication of three articles in his weekly journal *Young India*: "Tampering with Loyalty" (Sept. 29, 1921), "The Puzzle and its Solution" (Dec. 15, 1921), and "Shaking the Mane" (Feb. 23, 1922). They were prosecuted under section 124A of the I.P.C.

The Advocate-General of Bombay, Sir J. T. Strangman, appeared for the Government with Rao Bahadur Girdharilal, while Gandhiji and Shankerlal Bunker who had pleaded guilty refused to defend themselves. Gandhiji, however, made first an oral statement and then a written statement. The full text of both together with the sentence of the judges are given here. Many have compared the trial to that of Jesus Christ two thousand years earlier.

### Oral Statement

Gandhiji addressed a few preliminary remarks to the Court, prior to reading his written statement.

“Before I read this statement, I would like to state that I entirely endorse the learned Advocate-General’s remarks in connection with my humble self. I think that he was entirely fair to me in all the statements that he has made, because it is very true, and I have no desire whatsoever to conceal from this Court the fact that to preach disaffection towards the existing system of Government has become almost a passion with me. And the learned Advocate-General is also entirely in the right when he says that my preaching of disaffection did not commence with my connection with *Young India* but that it commenced much earlier, and in the statement that I am about to read it will be my painful duty to admit before this Court that it commenced much earlier than the period stated by the Advocate-General. It is a most painful duty with me, but I have to discharge that duty knowing the responsibility that rested upon my shoulders.

“And I wish to endorse all the blame that the Advocate-General has thrown on my shoulders in connec-

tion with the Bombay occurrences, the Madras occurrences and the Chauri Chaura occurrences. Thinking over these things deeply and sleeping over them night after night and examining my heart, I have come to the conclusion that it is impossible for me to dissociate myself from the diabolical crimes of Chauri Chaura or the mad outrages of Bombay. He is quite right when he says that as a man of responsibility, a man having received a fair share of education, having had a fair share of experience of this world, I should know the consequences of every one of my acts. I knew them. I knew that I was playing with fire. I ran the risk and if I was set free I would still do the same. I would be failing in my duty if I do not do so. I have felt it this morning, that I would have failed in my duty if I did not say all that I said here just now. I wanted to avoid violence. Non-violence is the first article of my faith. It is the last article of my faith. But I had to make my choice. I had either to submit to a system which I considered has done an irreparable harm to my country or incur the risk of the mad fury of my people bursting forth when they understood the truth from my lips. I know that my people have sometimes gone mad. I am deeply sorry for it; and I am therefore here to submit not to a light penalty but to the highest penalty. I do not ask for mercy. I do not plead any extenuating act. I am here therefore, to invite and submit to the highest penalty that can be inflicted upon me for what in law is a deliberate crime and what appears to me to be the highest duty of a citizen. The only course open to you, Mr. Judge, is, as I am just going to say in my statement, either to resign your post or inflict on me the severest penalty if you believe that the system and law you are assisting to ad-

minister are good for the people. I do not expect that kind of conversion. But by the time I have finished with my statement, you will perhaps have a glimpse of what is raging within my breast to run this maddest risk which a sane man can run."

### Written Statement

The written statement of Mahatma Gandhi before the Court:

"I owe it perhaps to the Indian public and to the public in England, to placate which this prosecution is mainly taken up, that I should explain why from a staunch loyalist and co-operator I have become an uncompromising disaffectionist and non-co-operator. To the Court too I should say why I plead guilty to the charge of promoting disaffection towards the Government established by law in India.

"My public life began in 1893 in South Africa in troubled weather. My first contract with British authority in that country was not of a happy character. I discovered that as a man and as an Indian I had no rights. On the contrary I discovered that I had no rights as a man because I was an Indian.

"But I was baffled. I thought this treatment of Indians was an excrescence upon a system that was intrinsically and mainly good. I gave the Government my voluntary and hearty co-operation, criticising it fully where I felt it was faulty, but never wishing its destruction.

"Consequently when the existence of the Empire was threatened in 1899 by the Boer challenge, I offered my services to it, raised a volunteer ambulance corps and served at several actions that took place for the

relief of Ladysmith. Similarly in 1906, at the time of the Zulu revolt, I raised a stretcher-bearer party and served till the end of the rebellion. On both these occasions I received medals and was even mentioned in despatches. For my work in South Africa I was given by Lord Hardinge a Kaisar-i-Hind Gold Medal. When the War broke out in 1914 between England and Germany, I raised a volunteer ambulance corps in London consisting of the then resident Indians in London, chiefly students. Its work was acknowledged by the authorities to be valuable. Lastly, in India when a special appeal was made at the War Conference in Delhi in 1917 by Lord Chelmsford for recruits, I struggled at the cost of my health to raise a corps in Kheda, and the response was being made when the hostilities ceased and orders were received that no more recruits were wanted. In all these efforts at service, I was actuated by the belief that it was possible by such services to gain a status of full equality in the Empire for my countrymen.

"The first shock came in the shape of the Rowlatt Act, a law designed to rob the people of all real freedom. I felt called upon to lead an intensive agitation against it. Then followed the Punjab horrors beginning with the massacre at Jallianwalla Bagh and culminating in crawling orders, public floggings and other indescribable humiliations. I discovered too that the plighted word of the Prime Minister to the Mussalmans of India regarding the integrity of Turkey and the holy places of Islam was not likely to be fulfilled. But in spite of the foreboding and the grave warnings of friends at the Amritsar Congress in 1919, I fought for co-operation and working the Montagu-Chelmsford reforms, hoping that the Prime Minister would redeem his promise to the

Indian Mussalmans, that the Punjab wound would be healed, and that the reforms, inadequate and unsatisfactory though they were, marked a new era of hope in the life of India.

"But all that hope was shattered. The Khilafat promise was not to be redeemed. The Punjab crime was whitewashed, and most of the culprits went not only unpunished but remained in service and some continued to draw pensions from the Indian revenue and in some cases were even rewarded. I saw too that not only did the reforms not mark a change of heart, but they were only a method of further draining India of her wealth and of prolonging her servitude.

"I came reluctantly to the conclusion that the British connection had made India more helpless than she ever was before, politically and economically. A disarmed India has no power of resistance against any aggressor if she wanted to engage in an armed conflict with him. So much is this the case that some of our best men consider that India must take generations before she can achieve the Dominion Status. She has become so poor that she has little power of resisting famines. Before the British advent, India spun and wove in her millions of cottages just the supplement she needed for adding to her meagre agricultural resources. The cottage industry, so vital for India's existence, has been ruined by incredibly heartless and inhuman processes as described by English witnesses. Little do town-dwellers know how the semi-starved masses of Indians are slowly sinking to lifelessness. Little do they know that their miserable comfort represents the brokerage they get for the work they do for the foreign exploiters, that the profits and the brokerage are sucked from the masses.

Little do they realise that the Government established by law in British India is carried on for this exploitation of the masses. No sophistry, no jugglery in figures can explain away the evidence the skeletons in many villages present to the naked eye. I have no doubt whatsoever that both England and the town-dwellers of India will have to answer, if there is a God above, for this crime against humanity which is perhaps unequalled in history. The law itself in this country has been used to serve the foreign exploiter. My unbiassed examination of the Punjab Martial Law cases has led me to believe that at least ninety-five per cent. of convictions were wholly bad. My experience of political cases in India leads me to the conclusion that in nine out of every ten the condemned men were totally innocent. Their crime consisted in love of their country. In ninety-nine cases out of hundred, justice has been denied to Indians as against Europeans in the Courts of India. This is not an exaggerated picture. It is the experience of almost every Indian who has had anything to do with such cases. In my opinion the administration of the law is thus prostituted consciously or unconsciously for the benefit of the exploiter.

"The greatest misfortune is that Englishmen and their Indian associates in the administration of the country do not know that they are engaged in that crime I have attempted to describe. I am satisfied that many English and Indian officials honestly believe that they are administering one of the best systems devised in the world and that India is making steady though slow progress. They do not know that a subtle but effective system of terrorism and an organised display of force on the one hand, and the deprivation of all powers of

retaliation or self-defence on the other, have emasculated the people and induced in them the habit of simulation. This awful habit has added to the ignorance and the self-deception of the administrators. Section 121A under which I am happily charged is perhaps the prince among the political sections of the Indian Penal Code designed to suppress the liberty of the citizen. Affection cannot be manufactured or regulated by law. If one has no affection for a person or thing, one should be free to give the fullest expression to his disaffection so long as he does not contemplate, promote or incite violence. But the Section under which Mr. Banker and I are charged is one under which mere promotion of disaffection is a crime. I have studied some of the cases tried under it and I know that some of the most loved of India's patriots have been convicted under it. I consider it a privilege therefore to be charged under it. I have endeavoured to give in their briefest outline the reasons for my disaffection. I have no personal ill-will against any single administrator, much less can I have any disaffection towards the King's person. But I hold it to be a virtue to be disaffected towards a Government which, in its totality, has done more harm to India than any previous system. India is less manly under the British rule than she ever was before. Holding such a belief I consider it to be a sin to have affection for the system. And it has been a precious privilege for me to be able to write what I have in the various articles tendered in evidence against me.

"In fact I believe that I have rendered a service to India and England by showing in non-co-operation the way out of the unnatural state in which both are living.

In my humble opinion, non-co-operation with evil is as much a duty as is co-operation with good. But in the past, non-co-operation has been deliberately expressed in violence to the evildoer. I am endeavouring to show to my countrymen that violent non-co-operation only multiplies evil and that as evil can only be sustained by violence, withdrawal of support to evil requires complete abstention from violence. Non-violence implies voluntary submission to the penalty for non-co-operation with evil. I am here therefore to invite and submit cheerfully to the highest penalty that can be inflicted upon me for what in law is deliberate crime and what appears to me to be the highest duty of a citizen. The only course open to you, the Judge and the Assessors, is either to resign your posts and thus dissociate yourselves from evil, if you feel that the law you are called upon to administer is an evil and that in reality I am innocent, or to inflict on me the severest penalty if you believe that the system and the law you are assisting to administer are good for the people of this country and that my activity is therefore injurious to the public weal."

### **The Judgment**

Mr. Broomfield, Sessions Judge, pronounced judgment sentencing Gandhiji to six years' imprisonment.

"Mr. Gandhi, you have made my task easy one way by pleading guilty to the charge. Nevertheless, what remains, namely, the determination of a just sentence, is perhaps as difficult a proposition as a Judge in this country could have to face. The law is no respecter of persons. Nevertheless it will be impossible to ignore the fact that you are in a different category from any person I have ever tried or am likely to have to try. It would be impossible to ignore the fact that in the eyes of mil-

lions of your countrymen you are a great patriot and a great leader. Even those who differ from you in politics look upon you as a man of high ideals and of noble and even saintly life. I have to deal with you in one character only. It is not my duty and I do not presume to judge or criticise you in any other character. It is my duty to judge you as a man subject to the law who has by his own admission broken the law and committed, what to an ordinary man must appear to be grave offences against the State. I do not forget that you have consistently preached against violence and that you have on many occasions, as I am willing to believe, done much to prevent violence. But having regard to the nature of political teaching and the nature of many of those to whom it was addressed, how you could have continued to believe that violence would not be the inevitable consequence, it passes my capacity to understand. There are probably few people in India who do not sincerely regret that you should have made it impossible for any Government to leave you at liberty. But it is so. I am trying to balance what is due to you against what appears to me to be necessary in the interests of the public, and I propose, in passing sentence, to follow the precedent of a case in many respects similar to this case that was decided some twelve years ago. I mean the case against Mr. Bal Gangadhar Tilak under the same section. The sentence that was passed upon him as it finally stood was a sentence of simple imprisonment for six years. You will not consider it unreasonable, I think, that you should be classed with Mr. Tilak. That is a sentence of two years' simple imprisonment on each count of the charge, six years in all which I feel it my duty to pass upon you; and I should like to say in doing so that if the course of

events in India should make it possible for the Government to reduce the period and release you no one will be better pleased than I."

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(From Mahatma Gandhi's Jail Experience told by himself. Tagore & Co., Madras.)

## CHAPTER IX

### THE ALI BROTHERS

The year 1921 was *par excellence* a year of non-co-operation. One of its highlights was the arrest of Maulana Mohammed Ali and Shaukat Ali for waging war against the Emperor, tampering with the loyalty of the troops, and sedition.

These arrests followed the Khilafat Conference held at Karachi, over which Maulana Mohammed Ali presided. The trial excited the greatest interest and was made memorable by the remarkable statement made by Mohammed Ali. A Special Jury was empanelled which included an Englishman and two Indian Catholic Christians. So profound was the impression created by Mohammed Ali's statement that the jury returned, to everybody's astonishment, the unanimous verdict of "not guilty." On certain charges, however, the jurors had only powers of assessors. Taking advantage of that the Judge sentenced him to two years' rigorous imprisonment.

"In imprisoning Maulana Mohammed Ali," said Mahatma Gandhi, "the Government has imprisoned the Khilafat . . . Let us imitate the courage, the faith, the fearlessness, the truthfulness and the vigilant incessant activity of the Brothers."

Soon after his release from prison Maulana Mohammed Ali was elected President of the Indian National Congress at Cocanada.



MAULANA MOHAMMED ALI



Gandhiji's comment on the statement on the Bombay Government was characteristic. "The Governor of Bombay," he declared, "evidently does not know that the National Congress began to tamper with the loyalty of the sepoy in September last year, that the Central Khilafat Committee began it earlier, and that I began it earlier still, for I must be permitted to take the credit or the odium of suggesting that India had a right openly to tell the sepoy and everyone who served the Government in any capacity whatsoever that he participated in the wrongs done by the Government. The Conference at Karachi merely repeated the Congress declaration in terms of Islam . . . . How can anyone having a spark of humanity in him and any Mussalman having any pride in his religion feel otherwise than the Ali Brothers have done? . . . . His Excellency's reference to the sedition of the Ali Brothers is only less unpardonable than his reference to the tampering. For he must know that sedition has become the creed of the Congress. Every non-co-operator is pledged to preach disaffection towards the Government established by law."

### **The Charge and the Defence**

*Bombay Government Press Note (15th September, 1921)*

"With the full concurrence of the Government of India, the Governor of Bombay-in-Council has decided to prosecute Messrs. Mohammed Ali and Shaukat Ali of Rampur, and others, for offences under Sections 120 B, 131 and 505 of the I.P.C. in respect of their support of

a resolution passed at the All-India Khilafat Conference held at Karachi from 8th to 10 July, 1921, inclusive, which *inter alia* declared it unlawful at this time for a Mussalman to remain in the British Army or induce others to join the Army, and declared it the duty of every Mussalman to bring this home to the Mussalmans in the Army." (A.P.)

Maulana Mohammed Ali, before addressing the Jury, turning to the Court, said:

"Can I have the Jury on this side? I have not seen their faces yet. I want to seduce them like the troops!" (Laughter in court).

The Court directed the Jurors to change their seats accordingly and the Judge also changed the position of his seat turning to the left, directly facing the accused.

Maulana Mohammed Ali then rose amid pindrop silence and addressing the Jury said:

"Gentlemen of the Jury, I just asked the presiding Judge that he might permit me to see your faces, because with the exception of one of your number I had not hitherto been able to see your faces. And I also said that I want to seduce the Jury. But after all I find that as a result of my effort at seduction I have turned the Judge also towards me today. (Laughter).

"Gentlemen, I think I am going to take as much time as I can. So it is necessary to tell you beforehand that if I intended to defend myself or my friends and to escape from transportation for life or the gallows or the jail—I don't know what the Judge has in store for me—it would have been absolutely unpardonable. No, Gentlemen, for that purpose I would not have wasted a single moment of your time or of mine.

"I do not want any defence. I have no defence to offer. And there is no need for defence, for it is not we who are on trial. It is the Government itself that is on trial. It is the Judge himself who is on trial. It is the whole system of public prosecutions, the entire provisions of the law that are on trial.

"Now, Gentlemen, what the case is against us we want the whole world to understand. After all, the result of the decision here will not be confined to the audience in the hall, or to the few scores of thousands of people in Karachi. It was said that the resolution that was passed here was not meant for that small audience comprising a few Ulemas and a few thousand people, but it was meant for a larger audience. Now, this too is meant for more than the audience here in this hall, certainly for more than the five of you. It is really meant for the whole world. We want to have our right to get the protection of the law for our religious beliefs and practices recognised. Let the Government repent and say, 'We have seen the error of our ways.' (Turning to Mr. Ross Alston): These are the words which my friend Mr. Ross Alston wanted me to say as my last words, and they shall be my last words but with regard to the action proper for the Government. (Laughter). But will the Government say, no, we are powerful, we are strong, we have dreadnoughts, we have aeroplanes, we have all this soldiery, we have machine-guns, we have beaten the most powerful nations in Europe, though, of course, with the help of twenty-six allies (Laughter) and India's men, money and other resources, but that is another story. (Laughter). We cannot tolerate your religious opinions and acts. If they say that, we can understand that. Therefore it is not for the purpose of defending ourselves

but it is to make this issue clear because it is a national issue, nay, more than that, it is an issue on which the history of the world to a great extent depends, whether, in this civilised country, man's word shall be deemed more binding than the word of God. The trial is not Mohammed Ali and six others *versus* the Crown, but 'God *versus* Man.' This case is, therefore, between God and Man. That is the trial. The whole question is 'Shall God dominate over man or shall man dominate over God?'

"There is nothing which is required by a man's religion which can be an offence in British India as long as the (Queen's) Proclamation holds. You cannot, in this country ask a Hindu to kill a cow. Before enlisting recruits you have to take people's answers down and you bind them by a certain oath. This is the form (showing the form) upon which the soldiers are enlisted. People take the oath that they will abide by their pledge. Yet not a single Hindu soldier who takes that oath will kill a cow in spite of all the allegiance that he might owe to the King. Therefore if his officer commands him to kill a cow and the Hindu soldier refuses it, will he be hauled up before this Court? If the Commander orders a Hindu or a Muslim soldier to use cow or swine-greased cartridges, which the Hindus and Muslims won't touch, and refuse to do it, could he be brought before any Court of Law? The Queen's Proclamation will give him the protection, no matter what your Penal Code might say. So long as what I do is enjoined by my religion, no Indian Penal Code or other Penal Law can touch me because the Queen's Proclamation is there. Now, in this form you will see there is a question (reads the form): 'Are you willing to go wherever ordered by land or sea

and allow caste usage not to interfere with your military duty?"

"I take it that every soldier at the time of enlistment has got to answer this in the affirmative and to sign this form. That does not allow the Commandant to believe that no religious commandment is there binding on a soldier. Supposing the man is asked to kill a cow by his officer to provide beef for him. The man absolutely refuses and he quotes Scriptures and Shastras. No section of your Penal Code will ever assist the Judge or the Jury to declare that this man would be punished because he is acting according to his religion. Say that he can be punished and I will sit down. No, Gentlemen, you have to write on every section throughout the Penal Code and every other law, the favourite phrase of the lawyers, 'Without prejudice' i.e., without prejudice to a man's religion. You say that there are bad customs like Satee which he cannot allow. Then you declare the customs which you will allow and the conditions on which you will be tolerant.

"My friend (the Public Prosecutor) told you we are very sincere, that we are people who are straightforward. I am thankful to him for this compliment. But he did this for his own purpose now. Gentlemen, you will now understand that we are people who are not going to be easily frightened into telling untruths to escape punishment, if we deserve it on the evidence laid before you. Whatever evidence there is in this case is of a trivial character and I will not worry you about these trivial things. Islam is not going to bother about the evidence regarding the time we left the Kanyashala or returned to it or about the Subjects Committee which was led to prove our association—association with whom?

Association with my brother. In that case the Public Prosecutor could similarly have given the whole of past history and with his chronological order should have placed the evidence before you that my brother was present at my birth; that we lived together in the same home, that he took away my pocket money when we were in school and when I demanded back my money he beat me black and blue. (Laughter). This is association. (Laughter). All this, Gentlemen of the Jury, is trivial evidence. The main case is, does the Queen's Proclamation give protection to the Muslim religion or not? My whole contention is that if we ask the Muslim soldier to give up serving in the British Army and to refuse to recruit and ask other people not to be recruited and we say and prove that it is to be found in the Quran then we are immune. You cannot punish us . . . .

"Now Gentlemen, I want to say something about the charges. It is not for you, Gentlemen, nor for me, to object to the misjoinder of charges. If I am to address anyone on that point, I shall address the Judge. I think I am within my rights if I refer to this. But so far as you are concerned, I may tell you, Gentlemen, that any number of sections, 109, 117, 120 B, 131, 505, of the Indian Penal Code have been jumbled together for the purpose of creating confusion, though section 233 of the Criminal Procedure Code lays down that these several charges cannot be joined. Section 233 runs thus:—

(Reads Sections 233 and 234)

The Court: "I do not think you should trouble yourself in reading this to the Jury. There cannot be any recasting of the charges at this late stage."

Maulana Mohammed Ali: "The general rule is that the individuals should be separately tried and the charges

should be separately dealt with, because if this is not done, it will prejudice the accused and it will prejudice the Gentlemen of the Jury. I do not know why they are jumbled together, but it seems to me that all representing the Crown have criminally conspired (Laughter) so that so many sections of the law have been brought in only to confuse everybody. I do not know whether any of you, Gentlemen, have understood them clearly. I did not quite understand what was the first charge, and what was the second charge, what was to go before the Judge and before you as Assessors. It was not quite until today, when I was being brought here from Waltair, one of the policemen escorting me in the special train asked me with what offence I had been charged. I did not know but told him that my warrant had recited Sections 120, 131, 203 and 117. The policeman drolly remarked: 'They may apply as many as they like, for after all they are home-made sections!' (Laughter). I wonder if any of you, Gentlemen, have played billiards. Well, there are three balls in billiards and you score by hitting your ball in such a way that it hits the other two or hits another and then drops into one of the pockets attached to the table or forces the other balls into these pockets. But sometimes these cursed balls lie on the table in such a manner that you don't know what to do with them to score and this happens infernally frequently to the beginner. Well, the advice that you will in such a case get from the more experienced is to hit hard and trust the rest to luck (Laughter) and not unoften, one scores what is called a fluke in your opponent's case but a very difficult stroke, of course, in your own way! (Laughter). Well, Gentlemen, that is precisely what the Prosecution has done with these charges. It has hit hard and trusts

you and the Judge for a score. Out of so many sections one or two manage to stick. (Laughter). The whole thing, so far as I understand, is that there are two main offences with which we are charged. The first offence is an agreement constituting criminal conspiracy and the second is the attempt to commit an offence (after interruption by the Court), agreement to commit criminal offence which makes it a criminal conspiracy, and secondly, to commit an act in pursuance of that conspiracy. These are the first two charges. Then comes the question about my statement, which was likely to seduce the troops from their loyalty. Then, of course, comes the abetment by the several co-accused. I am told the only thing that will go before you as Jury will be the attempt in pursuance of that conspiracy. But I will take up the first charge first—as regards an agreement.

"I am not quite sure whether any of you, Gentlemen, know that these Sections 120 A and 120 B were added to the Penal Code not so very long ago and I happened to be present in the Council meeting in which the Conspiracy Bill was passed. I was sitting in the Press gallery, during the lunch interval, when my old friend Sir William Vincent came into the Hall of the Council. I was sitting with a distinguished journalist, who has since become a Moderate leader and a particular friend of Government. Sir William Vincent asked me jovially if we two were conspiring. I said to him, 'For conspiring an agreement is necessary, and as you know only too well, I never agree with anybody. (Laughter). And, Gentlemen of the Jury, truly enough there has been no agreement. No evidence has been led about agreement, whether here or in the lower Court. 'It is a matter of presumption,' says the Public Prosecutor. And it is

really upon 'presumption' that they are going to transport me for life—to take me away from my family, to take me away from my girls, to take me away from my wife and aged mother, to take me away from my country, which is still more important to me. And all this on a matter of 'presumption'! Not a single witness comes in to say that there was even a discussion about it. I am not quite sure whether the Judge was filling the gaps in the evidence by asking us questions about this. Anyhow I said in reply that we never discussed the question about the troops. We are told by the Prosecution that the accused knew more than the Prosecution. I think that is perfectly true. As a matter of fact the Prosecution knows so very little (Laughter) and they pretend to increase their knowledge with the assistance of the inventions of the police. (Laughter). Yes, the accused knew what the Prosecution did not. But have they not put all their cards on the table before the Committing Magistrate?

"However, I now come to the first charge against us on which you have to sit here merely as Assessors. You have been told and have seen for yourselves that not a single witness was put into the box to prove that there was at any time any agreement. My friend here asked you to take that on presumption. What a presumption! Are you going to hang us merely for this presumption for which there is not the slightest piece of evidence, absolutely none?"

"No man, not a single witness, has said that he ever saw us, heard us or suspected us to be conspiring, agreeing to commit any offence. I was in England in the month of February, 1920, and probably on the very day I was interviewing the Officiating Secretary of State when

a conference was held in Calcutta, in which certain resolutions were passed. That was evidence against me. Presumption has to do duty for proof and any evidence is sufficient to transport us for life. Gentlemen, I may tell you that I knew nothing about the conspiracy. When my brother went to Assam I did not know. I did not know of it until the Public Prosecutor got up and said that he would bring in a witness to prove this. It was for the first time I learnt that my brother had gone there. The rascal! He goes there without my knowledge and I am to be transported for life. That's the worst of being a younger brother. (Laughter). But even that is no proof of agreement to commit a criminal offence. You cannot presume that. It must be proved and proved without a shadow of doubt. As for the Karachi Conference, my brother could have got off on the score of not having spoken. But the Public Prosecutor can fill that gap too.

"In Australia there was a farmer who had a son and I am afraid not a very clever son. People, heartlessly, even called him a fool, and wherever his father took him, through his folly, the father got into a sort of disgrace. Once the father was invited to a feast and the son wanted to go too. But the father refused. He was afraid that his son would speak and would be found to be a fool and he would be once more disgraced. The son then promised that he would not utter a single syllable. And so his father at last consented to take the fool to the feast. The son went there and sat in a snug corner. Several persons put him several questions but the son did not utter a single syllable in reply. So when a man was putting him another question, one of the guests said, "What is the use of asking this man any question, can't you see that he is a fool? The son immediately shouted out at the

top of his voice, addressing his father, who was at the other end of the table, 'Father, father, they have found it out; but I did not speak'. (Laughter). So the public Prosecutor too has found out that my brother was a conspirator at the Karachi Conference though he did not speak. (Laughter). The Public Prosecutor has said that we are earnest people. By the same token, Gentlemen, we are truthful people. And although I am not a witness deposing on oath I say it that there was never at any time any discussion among ourselves about the declarations of Islamic Law regarding the Muslim troops serving in the British Army. The Judge put me this question and I said that there was no discussion at any time. Why should there be a discussion about it at all?

"Supposing tomorrow we hold a conference of the Muslims assembled together in Karachi and declare that there is no god but one God and Muhammad is His Prophet. Do you think it will be necessary for us to sit together and come to an agreement? The moment that I say that I am a Muslim, there is that agreement. But there cannot be any time limit to it. It cannot be only between February, 1920 and September, 1921 (of course you know the addition to the period of the charge was the particular gift of my little friend there (pointing to Mr. Ross Alston). There was no mention of 1920 before the Committing Magistrate. This is a 'slight alteration' that my slight friend has made to the charge, which means twelve months more added to the period of the charge of conspiracy against us. So, believe me, there was no agreement except the agreement that we are Muslims. Every Muslim the moment he says that he is a Muslim, and accepts the example and the precepts of our Prophet Hazrat Muhammad (God's peace and benediction be upon

him!) that very moment he agrees to this also, that it is unlawful to enlist or remain in any army which must wage war against and kill Muslims without just cause. And the resolution passed at the Conference of the Jamiat-ul-Ulema was nothing new that they resolved and declared. What discussion or agreement was required for the Ulema to declare the well-known law of Islam against the killing of Muslims, or to sign a Fatwa or juridical pronouncement? Similarly, what discussion or agreement did the two Muslims, who are our co-accused, need before speaking on the Resolution here? They were asked to declare the Shariat and they did it. What related to the army was not a resolution but a declaration of law. But there was a Resolution, too, a solemn resolve and determination that if the British Government directly or indirectly, secretly or openly, takes any hostile action against the Government of Angora, the Muslims of India would be obliged to take to Civil Disobedience in concert with the Congress and to make a declaration at the forthcoming Congress at Ahmedabad in December of Indian Independence and of the establishment of a Republic. Gentlemen, we had provided not only for openly hostile action against Angora on the part of the British but also for secret action, not only for direct British action but also for indirect action through the Greeks. Yes, we know only too well our English diplomacy.

“At Oxford they define Association and Rugby football in this manner: ‘Soccer is a game in which you kick the man if you can’t kick the ball. In ‘Rugger’ you kick the ball if you can’t kick the man.’ (Laughter). In England they want to down every other nation and particularly the Turks. But a rule like Rugger is that they

will fight themselves only if they can't get another to fight their battle. (Renewed laughter). Gentlemen, we said that in the event of reopening of hostilities against the Angora Government, it will be our duty in concert with the Indian National Congress, in concert with our fellow countrymen, to start Civil Disobedience and that if this sort of thing goes on, it will be our duty—a duty and tremendous responsibility—the responsibility of declaring absolute freedom and independence of India, to establish an independent Republic of India. This was not said in a kind of lighter vein, as a jest or mere bluff. This was a very serious matter indeed. We knew what we were about. Every mother's son among us may be hanged for it. We could have been shot down instead of being brought down to this hall and having this farce of a trial, the Judge and Jury and all this paraphernalia—instead of this lengthy circuitous route there could be a short cut—no prosecution, no judge, no jury but only a firing party at dawn led by Col. Gwyer or Col. Beach and a clatter of rifles and there would be an end of the matter.

“However, we did declare this, and in consideration of that grave matter, we determined that in concert with our fellow countrymen we would do either of these two things or both. The prosecution, however, is not for that. It is for the earlier portion of the Resolution which is cited in the order of the Government sanctioning the prosecution.

“Now I come to the charge which is before you as Jury. You are the sole judge here. You are the ‘monarch of all you survey’ here.

“We are charged with being members of a conspiracy, that is to say, charged with having agreed to commit a

criminal offence, and in pursuance of that conspiracy, somebody within this conspiracy—some fellow conspirator—attempted these things. It does not matter whether we ourselves have attempted or some other persons have attempted. True. Well, Mr. Ross Alston of Allahabad, (the Advocate-General of the United Provinces assisting the Public Prosecutor) gets somebody in Allahabad who gets printed somewhere and gets that someone to reproduce something from the Ulema's Fatwa although he is perfectly ignorant of the Quran. All this has to be carefully done. He gets an ignorant Maulvi to copy it—every Muslim feels and trembles when he has got to copy anything from the Quran lest he write something different and attributes it to God falsely. The Maulvi copies it, gets it published for Mr. Ross Alston—gets it printed in Allahabad or in Lahore; he gets the same kind of envelopes; the letters are posted from different places, but mostly from Allahabad where Mr. Ross Alston comes from. (Laughter). And you have got to transport me for life for this. This is the thing which we are supposed to have done. What is the proof? He (the Public Prosecutor) says, this is the proof. A poet says, 'The appearance of the sun is itself the proof of the sun.' So, in this case too, what further proof is needed? Well, the charge is that these leaflets were sent to Muslim soldiers. That they were posted mostly from Allahabad because some were posted from Cawnpore whence Maulana Nasir Ahmed Sahib, one of the accused, comes, the Public Prosecutor attributed them to him and to us. Well, Allahabad is the place where Mr. Ross Alston comes from, the place from which two C.I.D. officers who have deposed against us come.

"Well, from that can you not have this presumption,

that it is Mr. Ross Alston who did it? (Laughter). Well, if this thing (showing the leaflets) is sent round is it by itself sufficient for you as men of any sense, you who are practical business men, is it sufficient for you to transport me for life, to take me away from my children, to take me away from my wife, to take me away from my mother, to take me away from my brother, to take me away from my country which is dear to me, to take me away from God's work, simply because they were posted mostly from Allahabad? Is that or is that not the whole offence? Read it for yourselves. Search for it in the entire record of evidence. If you are conscientious your judgment must be right. You who are conscientious men, you who cannot kill a gnat for nothing, you are not going to transport six men for life—not six men, for at last we find we are to be seven—our revered friend, Jagat Guru Shri Shankaracharya will also go with us Muslims because if there was no evidence against him, it was amply made up after all by the wrath of the perfectly peaceful Public Prosecutor. You saw the *Berserker* rage yourself. Not, of course, a real storm, mind you, from such a gentle gentleman but a fairly good imitation of one—a thing of the prosecution—something just realistic enough to give us the impression that there was a storm at last with lightning and thunder, hail and wind—all this came from my peaceful and amiable friend there. (Laughter). Are you going to commit all of us on the proof that there are certain envelopes and certain officers from the Army who receive them? Euphemism could go no further. Yes, officers of courage in battle, and length of service, and medals—and those real medals, not of silver, hanging on their breasts, but medals of lead, lead bullets that found billets in their bodies and

their breasts so far as these are concerned, really and truly officers, but yet men who have got, even as veterans and heroes of a hundred battlefields who salute the merest white tyro, the merest callow youth with hardly a moustache on his upper lip but only girlish peach-down, because they themselves are brown and black. These are the people who come before you. They come and present before you these things and say a most terrible thing has happened! One verse—incorrectly transcribed from the Qur'an—was sent to us and even without opening these envelopes we scented that they were smelling of gunpowder, smelling of 1857. We rushed to our Officer Commanding and said, Sir, save us from Islam; our feelings are hurt, our religious feelings are hurt. We are being reminded of our religion; we are being reminded of our God. For God's sake protect us from God! Does not the Queen's Proclamation give us protection? We are being bombarded with the quotations from the Qur'an. We can stand all bombardments but not this.' Is it on this evidence we are going to be transported for life?

"Gentlemen, I do not know whether a man is exempted or not in the Army from observing his caste usages. This form includes merely a question about them and we do not know what happens to the intending recruit who wishes to observe them. Dante wrote in his *Inferno* and Milton quotes it in his *Paradise Lost* also, that this legend is inscribed over the gate of Hell: 'Whosoever enters here must leave all hope behind.' So it should be written over the portals of the British Indian Army: 'Whosoever enters this must leave all Faith behind.' On a famous occasion the German Chancellor had said: 'Necessity knows no law,' and

those who execrate these lawless doctrines are being punished as law-breakers. What we want is that Government should be straightforward and honest about it. At present people go to the Army apparently with their eyes shut. We ask that they join the Army knowing very well that their religious law, and its obligations on them, will not be respected, but would be sacrificed to the Moloch of Military exigencies and that one Queen's Proclamation and two Kings' Proclamations will afford them no protection, nobody will then blame the Government. All the sin would be those people's who knew all this and yet joined the Army. But what is it after all that Islamic law demands today? For what offence does it seek the secular law's protection? Not for human sacrifice! I do not say 'shoot your officers—kill them.' No, on the human sacrifice of their Muslim brothers—of fratricide. When you took them to fight the Germans on the outbreak of the War, I did not say, do not fight with them. I do not say, there is disorder in Karachi and Muslims are rioting, that Muslim soldiers should not go and stop that.

"Gentlemen of the Jury, I am not anxious to get off. I am not anxious for my defence. I make no defence whatsoever, though I had to explain the law of Islam to you and explain the bearing of that law on the position we have taken up. I have not cross-examined witnesses nor produced evidence on my own side. But I want you who are mostly my countrymen, though co-operating with this Government, to consider this. You will find that in the history of the world many celebrated trials have taken place and many great people have been declared guilty of many offences. In English history itself even poor Joan of Arc was killed for a witch. But

with what result, her golden statue stood before my hotel in France and while I was there the Catholic Church led by the Pope and the College of Cardinals canonised her and what did the successors of those who had burnt her do? Why, the British army joined the French in honouring her memory and in placing wreaths on her statue. I was present at such a scene. George Washington was a wicked rebel in the time of George III. What is the verdict of the British Government to-day? He is the greatest patriot.

"I should like to address a remark or two particularly to the solitary Englishman on the Jury. Englishmen are not bound to follow the majority of their countrymen, particularly in unrighteousness and injustice. Believe me, throughout English history it has been the minority that was mostly in the right, and at any rate it was the minority that began great and good movements. A great cause had never been started in the World's history by the majority. It was not Pilate that was crucified. It was Christ (God's peace and blessings be on Him!). Pilate was the Judge who pronounced the verdict against Christ! But who pronounces the verdict now and who will pronounce it hereafter? On the last day—the Day of Judgment—it is God who will pronounce the sentence on Pilate who did not know what was the truth, and asked that famous or infamous question so cynically. But where is Pilate now? Whoever remembers him—the great crucifying Judge, except for Christ's Crucifixion? Now to millions of human beings Christ is the Saviour. But who am I, a humble individual to compare myself with Christ! I who am not worthy even to take the dust off the feet of Christ! But as the poet has said:

*Weakness never need be falseness,  
Truth is Truth in each degree,  
Thunder pealed by God to Nature,  
Whispered by my soul to me.*

"And in the thunder peals of British howitzers the still small voice of a humble man's soul has whispered into his ear this little bit of truth; God's eternal, everlasting soul-sustaining Truth: that he must not stand by and see Muslims being slaughtered by Muslims in spite of God's clear law, but must preach against it and propagate God's Truth, unshaken by fear of man and untroubled by mundane consequences.

"Gentlemen, I have taken much of your time, far more than I had intended to take or would have taken were it not for being constantly interrupted and stopped. But as I said at the very outset, had it been a case of my individual defence or of all of us accused together only, I would not have argued at such length and with such persistence. I do not seek to avoid punishment, for the jail is the gateway to India's freedom. Had I sought to avoid the entire prosecution and to prove my case according to the canons of this very law, the so-called law of the land, I could have cross-examined the witnesses and torn their evidence to shreds. I was really tempted to do that in the case of Col. Gwyer with his enlistment forms and his 'soldiers' duty as such.' I think I may say this, though I do not pretend to be a big lawyer like my friend the Public Prosecutor or his little assistant. Nevertheless, the case is so hopelessly weak that it would not keep us shut up in the jail for a day even if the ex-Lord Chief Justice of England himself, better known as Rufus Isaacs, K.C. has his Government's brief.

"Well, Gentlemen, my defence is before my God and my fellow-countrymen. Here we are now at the bar of this court as prisoners and accused persons. But when before the judgment-seat of God, the Judge, the Jury, the accused, all the co-accused, the Public Prosecutor and his assistant—the King himself—everybody assembled and God asks, 'whose is dominion today?' what will be your answer? You will say, 'Thine the Kingdom! Thine the Dominion.' You pray now 'May Thy Kingdom come!' But, Gentlemen, His Kingdom is here even today. It is not the kingdom of King George, but God's, and you must decide on that basis and I must act on that assumption. That is why I say I will follow the law of King George so long as he does not force me to go against the law of my God. I have no personal malice against him. I have none even against the Judge here, nor against the Government. Not a single instance of that can be quoted from my public speeches. No, Gentlemen, we must act from motives of public good, not of private malice. Once the Prophet's son-in-law, cousin and successor, Hazrat Ali, was enraged against a Jew who had insulted Islam and the God of Islam and the Faith of Islam, and Ali had jumped on top of him. The Jew thought that he was going to be killed, and in sheer desperation spat on Ali's face. You have seen, have you not, a vessel full of milk on the fire and about to boil over and you have seen how it subsides the moment a little cold water is poured in? The Jew's spitting acted just in that manner and strangely enough the wrath of Ali subsided at once and he left the Jew and walked away. But the Jew was so astonished at this unexpected turn of events that he ran after Ali and caught hold of him and said 'This is very strange. When I said a

word, you forced me down and would have killed me, and when I spat on your face in desperation, you leave me'. And Ali answered: 'You insulted God and I could have killed you, but when you spat on me I got enraged on my own account, and personal ill-will could not go well with public duty. I could be an executioner for the sake of God but not a murderer for Ali.' Gentlemen, we too bear the revered name of Ali and I have also the name of another even greater than Ali. I will not be a party to the killing even of a gnat for personal malice, but for the sake of my God I will kill all. I will not spare anyone. I will slaughter my own brother, my dear aged mother, wife, children, and all for the sake of God, so help me God!" (And as he said that, his voice failed him, drops of tears rolled down his cheeks and he sat down completely overcome.)

### **Leaders' Manifesto on the Arrest**

In view of the prosecution of the Ali Brothers and for the reason stated in the Government of Bombay Communique dated the 15th September, 1921, we the undersigned, speaking in our individual capacity desire to state that it is the inherent right of everyone to express his opinion without restraint about the propriety of citizens offering their services to, or remaining in the employ of, the Government whether in the Civil or the Military Department.

We the undersigned state it as our opinion that it is contrary to national dignity for any Indian to serve as a civilian, and more especially as a soldier, under a system of government which has brought about India's economic, moral and political degradation and which has used the soldiery and the police for repressing national aspira-

tions, as for instance at the time of the Rowlatt Act agitation, and which has used the soldiers for crushing the liberty of the Arabs, the Egyptians, the Turks and other nations who have done no harm to India.

We are also of the opinion that it is the duty of every Indian soldier and civilian to sever his connection with the Government and find some other means of livelihood.

Abdul Bari	Mia Mohamed Haji Jan
Abul Kalam Azad	M. K. Gandhi
Motilal Nehru	Mohamed Chotani
Sarojini Naidu	Lajpat Rai
Vallabhbhai Patel	Ajmal Khan
N. C. Kelkar	Abbas S. Tyebji
G. B. Deshpande	V. J. Patel
M. A. Ansari	M. R. Jayakar
Jaannalal Bajaj	C. Rajagopalachari
D. V. Gokhale	L. R. Tairsee
S. G. Bunker	Umer Sobani
Jawaharlal Nehru	M. R. Cholkar
S. E. Stokes	V. V. Dastane
M. S. Aney	Ahmed Jahi Siddik Khaṭri
Khaliquzzaman	Cudur Ramchandra Rao
K. M. Abdul Gaffur	Gudirada
Krishnaji Nilkanth	D. S. Vijayrao
Karguppi	B. L. Subbaramanya
Konda Venkatapaiyya	Anasuya Sarabhai
G. Harisarvottam Rao	Jitendralal L. Bannerji
Azad Sobhani	Mushir Husain Kidwai
Hasrat Mohini	Shyam Sunder Chakravarti
Mahadeo M. Desai	Rajendra Prasad
Barjorji Framji Bharucha	B. S. Moonje
Jairamdas Dowlatram	Yakub Hasan

Bombay, 4th October, 1921.



**MAULANA ABUL KALAM AZAD**



## CHAPTER X

### MAULANA ABUL KALAM AZAD

Maulana Abul Kalam Azad was arrested along with Deshbhandhu C. R. Das on the eve of the visit of the Prince of Wales (afterwards Edward VIII, now the Duke of Windsor) on 10th December, 1921.

In order to stem the tide of revolution and discontent and to revive feelings of loyalty to the Raj the British Government very inadvisably decided to send the Prince of Wales to this country. The Indian National Congress decided to boycott the visit. There were serious riots in Bombay on the day of the Prince's arrival. Calcutta on the other hand was completely peaceful—but *deserted!* The boycott was an unprecedented success. Maulana Azad was prosecuted for two speeches made by him on July 1st and 19th at Mirzapur Park in Calcutta. The charge was sedition. Azad pleaded guilty to the charge and refused to make any defence or to cross-examine prosecution witnesses. But he filed a written statement that created a stir throughout the length and breadth of this country. Gandhiji called it “an oration deserving penal servitude for life,” and added that it was also excellent political education. Azad was sentenced to one year's rigorous imprisonment.

### A Declaration of Faith

“The iniquities of courts of law constitute an endless list and history has not yet finished signing the legacy of such miscarriages of justice. In that list we observe a holy personage like Jesus, who had to stand in his time before a foreign court and be convicted even as the worst of criminals. We see also in the same list Socrates, who was sentenced to be poisoned for no other crime than that of being the most truthful person of his age. We meet also the name of that great Florentine martyr to truth, the inventor Galileo, who refused to belie his observations and researches merely because their avowal was a crime in the eyes of constituted authority.... When I ponder on the great and significant history of the convicts' dock and find that the honour of standing in that place belongs to me today, my soul becomes steeped in thankfulness and praise of God....

“The bureaucracy in India is nothing more nor less than the domination which powerful individuals will always normally attain over a nation decaying by its own neglect and internal weaknesses. In the natural course of things such dominant authority cannot possibly countenance any nationalistic awakening or agitation for progress, reform or justice. And as such agitation would spell the inevitable downfall of its dominant power, it seeks to kill all agitation by declaring it a crime against constituted authority. No power would tamely submit to movements likely to bring about its own decline, however much such decline might be in the ultimate interests of justice. This posture of affairs is merely a struggle for existence in which both sides fight desperately for their principles. An awakened nation

aspires to attain what it considers its birthright, and the dominant authority would fain not budge an inch from its position of unquestioned sway. The contention might be advanced that the latter party even like its opponents is not open to any blame inasmuch as it is quite an incidental matter that its existence happens to be inimical to perpetuation of justice. We cannot deny facts of human nature and its inseparable characteristics. Like good, evil also desires to live in this world and struggle for its own existence. In India also such a struggle for the survival of the fittest has already commenced. Most certainly, therefore, nothing can be a higher crime against the domination of Government, as at present established, than the agitation which seeks to terminate its unlimited authority in the name of liberty and justice. I fully admit that I am not only guilty of such agitation, but that I belong to that band of pioneers who originally sowed the seed of such agitation in the heart of our nation and dedicated their whole lives to the cherishing and breeding of this holy discontent....

"It is my belief that liberty is the natural and God-given right of man. No man and no bureaucracy consisting of men has the right to make the servants of God its own slaves. However attractive may be the euphemisms invented for 'subjugation' and 'slavery,' still slavery is slavery, and it is opposed to the will and the cannons of God. I therefore consider it a bounden duty to liberate my country from its yoke. The notorious fallacies of reform and gradual transference of power can produce no illusions and pitfalls in my unequivocal and definite faith. Liberty being the primary right of man, it is nobody's personal privilege to prescribe limits or apportion shares in the distribution of it.

To say that a nation should get its liberty in graduated stages is the same as saying that an owner should by right receive his property only in bits and the creator his dues by instalments.... Whatever philanthropic acts might be performed by a man who has usurped our property, his usurpation would still continue to be utterly illegal.

“Evil cannot be classified into good and bad. All that is in fairness possible is to differentiate the varying degrees. For instance, we can say very heinous robbery and less heinous robbery, but who can speak of good robbery and bad robbery? I cannot, therefore, at all conceive of any justification for such domination because by its very nature it is an act of iniquity,....

“Such is my duty as a man and as an Indian, and religious injunctions have imposed upon me the same duty. In fact, in my view, the greatest proof of the truth of my religion is that it is another name for the teaching of the rights of man. I am a Mussalman, and by virtue of being a Mussalman this has become my religious duty. Islam never accepts as valid a sovereignty which is personal or is constituted of a bureaucracy of a handful of paid executives. Islam constitutes a perfected system of freedom and democracy. It has been sent down to get back for the human race the liberty which has been snatched away from it. Monarchs, foreign dominations, selfish religious pontiffs, and powerful sections had alike misappropriated the liberty of man. They had been fondly nursing the belief that power and possession spell the higher right. The moment Islam appeared, it proclaimed that the highest right is not might but right itself. No one except God has the right to make serfs and slaves of God’s

creatures. All men are equal and their fundamental rights are on a par. He only is greater than others whose deeds are the most righteous of all....

"The sovereignty of the Prophet of Islam and of the Khalif was a perfected conception of democratic equality, and it only could take shape with the whole nation's free will, unity, suffrage and election. This is the reason why the sovereign or president of a republic is like a designated Khalif; Khilafat literally means nothing more nor less than a representation, so that all the authority a Khalif possesses consists in his representative character, and he possesses no domination beyond this representative authority.

"If then Islam defines it as a duty of Mussalmans to refuse to acknowledge the moral justification even of an Islamic Government, when full play is not granted in it to the will and franchise of the nation, it is perfectly superfluous to add what under Islam would be the ruling given about a foreign bureaucracy. If today there was to be established in India an Islamic Government, but if the system of that Government was based upon personal monarchy or upon bureaucratic oligarchy, then to protest against the existence of such a Government would still be my primary duty as a Mussalman. I would still call the Government oppressive and demand its replacement.

"I frankly confess that this original conception of Islamic sovereignty could not be uniformly maintained in its primal purity on account of the selfishness and personal domineering of the later Muslim sovereigns. The mighty magnificence of the Emperors of Ancient Rome and of the Shahs of Persia had attracted the Muslim sovereigns powerfully to the dubious glory of great

monarchical empires. They began to prefer the majestic figures of Kaiser or Khosroe to the simple dignity of the original Khalifs clad oftentimes in old tattered cloaks. No period of the dynasties and sovereignties of Islam has, however, failed to produce some true Muslim martyrs, who have made public declarations of the tyrannies and transgressions of such monarchs and joyfully and triumphantly suffered all miseries and hardships which inevitably confronted them in the thorny paths of duty.

"The holy Prophet of Islam has preached the following doctrine to the Muslims: 'That man is blessed with the best of deaths who proclaims the truth in the face of a tyrannical administration and is slaughtered in punishment of this deed.' The Scripture of Islam, the Holy Quran, defines the greatest attributes of the true Muslims to be 'that they fear not any being except God and whatever they consider to be the truth, they reck not any authority in the public proclamation of such truth.' The Quran further defines the national characteristics of the Muslims as follows: 'They are the witnesses to truth on God's earth.' As long, therefore, as they continue to be Muslims they cannot desist from giving this public evidence. In fact, it has designated Muslims as witnesses, i.e., givers of the evidence of truth. When the Prophet of Islam extracted a promise of righteousness from any person, one of the clauses of such a bond used to be, 'I will always proclaim the truth in whatever condition and whatever I may happen to be . . .'

"An outstanding object-lesson in speaking the truth which their national history presents to the Muslims is to be inviting people to this national goal. This is the mission of my life, and if I live at all I elect to live only for this single purpose. Even as the Quran says, 'My

prayers and my observances and my life and my death are all for my Lord, the God of the Universe.' I am the first pioneer in this latest phase of that Islamic movement in India which has created a tremendous revolution in the political world of the Indian Muslims and has gradually elevated them to that pinnacle of national consciousness on which they are seen today. In 1912 I started an Urdu journal, the *Al Hilal*, which was the organ of this movement and the object of the publication of which was mainly what I have declared above. It is an actual fact that within three years it had created a new atmosphere in the religious and political life of the Mussalmans of India.

"In this war of liberty and justice I have adopted the path of non-violent non-co-operation. Opposed to us stands an authority armed with the complete equipment for oppression, excess and bloodshed. But we place our reliance and trust, next to God, only upon our own limitless power of sacrifice and unshakable fortitude.

"Unlike Mahatma Gandhi my belief is not that armed force should never be opposed by armed force. It is my belief that such opposing of violence with violence is fully in harmony with the natural laws of God in those circumstances under which Islam permits the use of such violence. But at the same time, for purposes of liberation of India and the present agitation, I entirely agree with all the arguments of Mahatma Gandhi and I have complete confidence in his honesty. It is my definite conviction that India cannot attain success by means of arms, nor is it advisable for it to adopt that course. India can only triumph through non-violent agitation, and India's triumph will be a memorable example of the victory of moral force."

## CHAPTER XI

### C. RAJAGOPALACHARI

Rajaji's jail diary is a day-to-day record of his life in the Central Jail at Vellore from December 21, 1921, to March 20, 1922. It is a poignant document, written in a language so simple and touching, that its appeal to the heart is immediate. He was General Secretary of the Indian National Congress at the time of his imprisonment in 1921.

Three selections from his "Jail Diary" are given here. His absorption in politics has lost to the country a most talented and powerful writer who is equally at home in writing short stories or profound essays on philosophy.

#### Prison Life In India

**21-12-21.**

I came, rather late in the afternoon on 21st December, 1921, into the Vellore Central Jail with Subramania Sastriar, our Provincial President. We were sentenced together by the Vellore Magistrate. Judgment was pronounced at 1 p.m. We waited for some time for our escort. While waiting I wrote a short letter to Mahatmaji. I said in it three months' simple imprisonment was all too little. But I hoped he would have won Swaraj before January, and so it made no difference.

We were taken to the solitary imprisonment cells....

We were told that till recently no water was supplied to the prisoners visiting the privy. They were

using mud or nothing at all. Now water is supplied and this was said to be a reform due to the row kicked up by Sesha Reddy....

**22-12-21.**

The feeling I noted last night soon gave way to quite another feeling. Have I really become so free that Government have to lock me up if they wish to keep me? For the first time in my life I felt I was free, and had thrown off the foreign yoke. These and other thoughts, and the early hour we were sent to bed without a light to do any reading or writing, and the physical strangeness of the place, kept me awake for a long time. I deliberately turned away from thoughts and memories of the busy world outside, and refused to give room for the thronging images of friends, children, and relatives. The national songs of my neighbours from Vellore sweetened the hours for some time. Then the continuous "All Is Well" sung out by the convict sentries with a variety of accents and vowel lengths filled the waking hours. I then slept off. I was free from my asthma trouble for the first time after a week of much suffering....

Government seem either indifferent or determined deliberately to treat us like common criminals in every way. Our food is the same as that of ordinary criminals, we are locked in and let out at the same hours, we have to eat on the filthy ground, standing, or sitting on our toes, and hurrying it off the plate, like beggars being fed....

**24-12-21.**

It is after I am locked in at 6 p.m., and my cell barred, bolted and locked and the key taken

away, that the full vision of freedom daily comes to my mind. Why do not people realise the fact that the nation is locked and imprisoned like this, not at 6 p.m., but every hour, day in and day out, so that it is one long night of slavery. Realising this, one feels free when one has actually to be shut up like this by the tyrant's arm that holds the country. The misery of it is when one sees one's own people so busy and so punctilious in carrying out the behests of that authority as if it were God's law and Dharma that they carry out. The man who goes to prison in revolt against the foreigner's law is free, even like the rebel soldier. He is to be held down by force, not by shameful, voluntary surrender. These things I knew before and have uttered them on platforms. But I realise them now more fully than ever before....

My "History board" shows the following particulars: Political. Reg. No. 8398. Date of admission, 21-12-21. Declined to appeal, 24-12-21. Name: C. Rajagopalachar, Brahmin, General Secretary, I.N.C. State of Education, "C". ("C" means "illiterate.") So carelessly are the entries made!)

### 26-12-21.

The All-India Congress Committee, and the Moderate leaders, must be nearing the end of their deliberations today. May the God of Nations lead us aright and give us courage, determination and strength!

No newspapers are allowed to us.

I wonder how the Irish people have decided.

### 28-12-21.

The Moplah Rebellion prisoners are heavily worked. It pains one's heart to see it, when





C. RAJAGOPAL VACHARI

one realises that they are here not for moral crime but for breaking bridges, pulling telegraph wires, or cutting up roads in a bid for freedom and religion as they understood them from their leaders. The only consolation is that these Moplahs knew no better code of war than the treatment now meted out to them by Government.

There is no place where the atmosphere is so full of expectancy as the jail. Every prisoner, as he is heaving up a heavy load, or finds a minute's rest when running down to the latrine, asks, how long are we to toil like this? When is *Swaraj* coming? Are we winning? Where is Gandhi? and so on.

The washing is too much, apparently, for me. I felt so fatigued today, that I could not eat well, and after that, had to be in bed till 2 p.m. How weak I have come to be! Age and sickness tell, even though you have not outgrown your youth in foolishness....

#### 8-1-22.

It seems Block 1 is locked up even during the day so that the men have hereafter no exercise or walking space. Rigorous imprisonment is far better than simple imprisonment under these circumstances. But we are here to accept any conditions of jail life. If we show unhappiness over any of the rigours imposed, Government wins. They seek to cause pain, and if we are miserable they have attained their object. We can defeat their object only by cheerfully accepting solitary confinement, all day lock-up, and everything they have the power and the audacity to impose. Only let us not deserve such additional penalties by any dishonourable acts. Md. Hussain told a good story of how Bahadur Shah smiled when a British Officer brought his son's head on a charger and offered it as a present to the

father. His attendants afterwards asked the imprisoned Emperor why he smiled when his dear son's head was brought to him in cruel mockery. He answered that the object of the enemy was to cause pain, and he should not help him to attain that object by showing any grief....

## 2

### A Story To Remember

#### 5-1-22.

Hira Singh told us last night the story of the Lahore Conspiracy Case prisoners. They were all in Hazaribagh in Bihar, given bad food and heavy work and terrible penalties—flogging, handcuffs, and chaining to the wall in cells in standing position the whole day, for a week, during nights also; handcuffed sometimes arms behind and sometimes in front; chained to the wall on the tower to serve as an example to all prisoners, and so on. They were given gunny bag clothes which they refused to wear and underwent punishment. The thing became so intolerable when a Punjabi jailer came and took charge, that they resolved to make an attempt to escape and get shot if they failed. Three iron bars were procured for them by the scavengers, and one of them made holes in the cell wall near the roof, and some at night at the bottom of the wall. They kept chanting prayers aloud, so that when the sentry walked up and down the verandah he did not hear the noise of digging. When the work was finished, three of them got out into the verandah at night and caught and gagged the warder on duty, and took his overcoat and lamp. One of them put on the coat and sat down with the lamp at the end

of the verandah, and the other two stuck on like lizards to their cell doors, awaiting the head warder. When the latter came, he imagined the warder on duty was sleeping and went up to call him. The two that were hanging on to the cell door went up from behind and gagged the head warder, who fainted at once. They took the keys from him and went about opening all the cells.

But they were now nearing "change of watch" and were in a hurry. They also did not know the right keys and found it difficult to open all the cells. They released only eighteen in all. The party hastened to the prison wall and, standing one over another, pulled themselves up with blankets and let themselves down similarly on the other side. Three of them had been told to watch the warder and head warder, but these got impatient and joined the rest of the party too soon. The warders somehow got rid of their gags and raised an alarm which brought a party in pursuit, when some of the prisoners were still on the wall. They had armed themselves with the cell locks, which they threw at the warders, and one of them lighted a match and said half aloud "They are brothers, don't throw the bombs at them." It was dark, and the trick succeeded. The warders retired in fear of the bombs. Six of the prisoners injured themselves badly, as the man on top of the wall attended more to lifting them up than to letting them down. They were in a strange country. Five of the men who had broken their legs hid under a culvert; but the village people discovered them and pointed them out to the police who came in pursuit. Hira Singh was also hurt but he was carried by his companions. He was a heavy weight and begged his friends to leave him and save themselves. The next day he was arrested at Arrah, and some more

at Benares; only three finally escaping. The re-arrested men were tried, and to their life sentence was added an additional term, and they continued in the same prison. The jail punishments went on as before. They once again broke the prison bars and told the jail authorities that they could escape if they liked, but they did not want to. They only wanted reasonable treatment in prison. Things were somewhat better after this. They were a difficult charge to the jail authorities and they had specially to get Pathans from the Punjab to serve as warders. After a period, the Bihar Government transferred the prisoners to Madras, and they are all now in various jails in this Province.

Hira Singh had nearly five lakhs in money. About two lakhs or more, he says, has been taken away by Government, and the rest is with Chinamen and others to whom he has lent money. "Jail has become my home. I don't want to go out unless India is free. But it is very difficult for India to become free. It will take at least two more years for the people to rise," said he in a tone of sorrow....

## 3

### News Without Newspapers

#### **14-1-22.**

Strange whispers reach the jail from the outer world; shadows would be a better analogy than whispers, for you can rely on jail news only as little as you can judge the shape of objects from their shadow. Exaggerations are the nearest approach to reality. I am told the Madras City Police have been on strike these ten days; that there was a successful boycott and, in fact,

utter darkness and silence in the city of Madras on the day of the Prince's visit; that there were street lectures at all corners; that at one place a disturbance was caused by a "Government-side" Chetty talking insolently about Swaraj, and soldiers came up and there was firing and six deaths; that there is a battle going on at the N.-W. Frontier and the Government has had heavy losses; that in Malabar the operations have not yet terminated....

I am told I am again appointed General Secretary along with Nehru (Motilal Nehru) and that V. J. Patel is acting for Nehru (Motilal Nehru) and Dr. Rajan officiates for me. Gandhi is appointed "Dictator", i.e., to carry on all Congress work irrespective of meetings. This is good, but he won't find his successor easily or even with difficulty. There is a Conference at Bombay of persons of all shades of opinion and Shankaran Nair is presiding. Gandhiji is attending. I fear, rather I hope, nothing will come out of it, for I don't believe there is anything good that can come out of such a meeting. Nothing is possible in any direction from such a meeting, but cutting down our demands or suspending the Congress programme, which is unthinkably wrong just now, when victory is nigh....

### 19-1-22

The Vellore Jail Unpublished Gazette brings the following news: the comments are mine. De Valera is still asking his people to reject the Treaty. The Bharatpur Magistrate flogged some political prisoners in the presence of other prisoners and this has caused great agitation. Such magistrates are truly our friends. Several arrests in Kurnool. Salem is not doing ill.... 3,500 volunteers were in prison in Calcutta up to

the middle of January. Hakim Ajmal Khan said in his Presidential Address that Egypt had adopted the Indian method of non-co-operation....

Fire opened in Madras and half a dozen killed, because stones were thrown at a police officer's car.

#### 24-1-22.

Tuesday. Non-payment of taxes is going on in Guntur District. I hear, in South Canara also. Disobedience is going on in a slow way in Tamil Nadu. The Moderates, I hear, have met in conference and increased their demands. How lazily these Moderates follow the track! The blood and sacrifice that goes before them cuts a deep rut along which they cannot but be dragged....

#### 14-2-22

Congress affairs are very depressing. The violence at Gorakhpur appears to have set back everything. I cannot judge well from here, with little information about things and out of touch with the atmosphere prevailing. But I fear the decision to let things remain inactive now is wrong. To set a stale programme before the people at a time when repression is in full swing, is likely to set the clock back. I am, however, too much depressed, and may see things in a better light later on. Let me pray. So many of my most trusted fellow-workers have gone to jail, that I feel when I go out I shall be even more lonely than I am here. How should Gandhiji have been feeling all these days when all his fellow-workers have been snatched away and he has been left quite alone!

**15-2-22.**

Wednesday. In the absence of the sturdy leaders of various provinces who are all now in prison, and especially of the Ali Brothers, Gandhiji's decisions are not balanced by every consideration that the position of an emasculated nation necessitates. While they were with him, it looked as if they acted mostly as clogs, but when they are away, one sees their function. The decision practically to suspend all thoughts of Civil Disobedience and to go back to membership enrolment, i.e., from war to peace, is likely to be a grievous blow to Bengal, Andhra, and the United Province. Tamil Madras, though it cannot have made much headway in any department, will lose proportionately more severely than other provinces by this retreat. It is a misfortune that Bombay did not take to prison-going seriously....

**16-2-22.**

Either he (Gandhiji) must be convinced that Congress Volunteers perpetrated or encouraged the murders at Gorakhpur, or he must definitely postulate an impossible condition precedent for his movement, that mobs that anywise connect themselves by mere sympathy with the aims and objects of the movement, should refrain from violence just as much as the organisers and partakers of the movement itself. Non-co-operation commands almost universal sympathy in India, and so this condition would come to this: that there should be no serious crimes of violence committed by anybody in India while the movement is on. Unless the cause of the suspension of the programme (and his five days' fast) is that Congress workers committed and encouraged the murders, I feel that it is a confession that the programme

is discovered to be a moral impossibility.

I fully realise the gravity of the offence of the mob at Gorakhpur. But, in spite of my tenderest and most complete attachment to my master and the ideal he stands for, I fail to see why there should be a call for stopping our struggle for our birthrights because of such events. The Malabar atrocities were a much greater reason, if Gorakhpur be a good reason. No, I fail to see from here (in seclusion and without materials, it is true) the logicality of the grave steps taken.

\* \* \* \* \*

### 20-3-22.

Monday. Learnt that Pilate gave six years' S. I. to Christ. God gave us a man to lead us, but the Government claims the right to take him away from us. Their will be done!

Bade farewell to the friends and left the jail at about 10 a.m. The Superintendent followed me outside the gate and asked if the jail did not look better from outside. Of course, I said, the inside was not so bad as it was thought to be. "Don't come again," he said, as we shook hands and parted. Singaravelu Chettiar and Ramasami Naicker had come from Madras to meet me. In Vellore town the *Swarajya* correspondent attempted to interview me. I told him that having just come from jail I had to learn about the situation and could not presume to instruct others so soon. They had a public meeting in the evening; but I refrained from speaking, for the same reason.

## CHAPTER XII

### BHAGAT SINGH

In October, 1928, the Simon Commission arrived a second time in India. When it visited Lahore, Lala Lajpat Rai was mercilessly beaten by an English police officer, while leading a boycott procession. As a result, Lala Lajpat Rai died on November 17, 1928. A month later, the police officer who was suspected to have attacked Lalaji was shot dead by unidentified revolutionaries. The walls of Lahore were placarded with posters "Lalaji is avenged; Saunders is dead."

The most ruthless police searches were made till three months later Bhagat Singh and Dutt were arrested in the Central Legislative Assembly on April 8, 1929, for throwing a bomb in the Legislative Assembly. From Bhagat Singh's person a .03 Mauser pistol was recovered which expert evidence connected with the one used to kill Saunders.

But before his arrest Bhagat Singh was tried along with 21 others in what came to be known as the Lahore Conspiracy Case and condemned to death by a Special Court in his absence. Bhagat Singh, Sukhdev and Raj Guru were subsequently hanged in March, 1931, despite the whole nation's protest.

Thus did Bhagat Singh become a national hero. "There never has been within living memory," wrote Gandhiji, "so much romance about any life

as surrounding Bhagat Singh." The Indian National Congress which met under the presidentship of Sardar Vallabhbhai Patel at Karachi passed the following resolution on March 29, 1931:—

"This Congress, while dissociating itself from and disapproving of political violence in any shape or form, places on record its admiration of the bravery and sacrifice of the late Sardar Bhagat Singh and his comrades Syts. Sukhdev and Rajguru and mourns with the bereaved families the loss of these lives. This Congress is of opinion that this triple execution is an act of wanton vengeance and is a deliberate flouting of the unanimous demand of the nation for commutation. This Congress is further of opinion that Government have lost the golden opportunity of promoting good-will between the two nations, admittedly held to be essential at this juncture, and of winning over to the method of peace the party which, being driven to despair, resorts to political violence."

Bhagat Singh and Butakeswar Dutt, the two accused in the Delhi Assembly Bomb Case, were both sentenced to transportation for life at the trial held in Delhi on the 12th June, 1929.

#### Extracts from Bhagat Singh and Butakeswar Dutt's Statement

"We humbly claim to be no more than serious students of history and the conditions of our country and human aspirations and we despise hypocrisy. Our practical protest was against an institution which since its birth has eminently helped to display not only its worth-

lessness but far-reaching power for mischief. The more we have pondered, the more deeply we have been convinced that it exists only to demonstrate to the world India's humiliation and helplessness and it symbolises the overriding domination of irresponsible and autocratic rule. Time and again the national demand has been pressed by the people's representatives, only to find the waste-paper basket as its final destination. Solemn resolutions passed by the House have been contemptuously trampled underfoot on the floor of the so-called Indian Parliament. Resolutions regarding the repeal of repressive and arbitrary measures have been treated with sublime contempt and Government's measures and proposals rejected as unacceptable by elected members have been restored by a stroke of the pen.

"In brief, in spite of earnest endeavour, we have utterly failed to find any justification for the existence of the institution which, despite all pomp and splendour organised with the hard-earned money of the sweating millions of India, is only a hollow show and a mischievous make-believe. And alike have we failed to comprehend the mentality of public leaders who help to squander public time and money on so manifestly stage-managed an exhibition of India's helpless subjection. We have been ruminating upon all this, as also upon the wholesale arrests of leaders of the labour movement. When the introduction of the Trades Disputes Bill brought us into the Assembly to watch its progress and the course of the debate, it only served to confirm our conviction that the labouring millions of India had nothing to expect from the institution that stood as a menacing monument to the strangling power of the exploiters and the serfdom of helpless labourers.

"Finally, the insult of what we considered an inhuman and barbarous measure was hurled on the devoted heads of the representatives of the entire country and the starving and struggling millions were deprived of their primary right and sole means of improving their economic welfare. None who has felt like us for the dumb, driven drudgery of labourers could possibly witness this spectacle with equanimity. None whose heart bleeds for those who have given their life-blood in silence to the building up of the economic structure of the exploiter, of whom the Government happens to be the biggest in this country, could repress the cry of the soul in agonising anguish, which so ruthless a blow wrung out of our hearts. Consequently, bearing in mind the words of the late Mr. C. R. Das, once Law Member of the Governor-General's Executive Council, which appeared in the famous letter he had addressed to his son, to the effect that the bomb was necessary to awaken England from her dreams, we dropped the bombs on the floor of the Assembly Chamber to register our protest on behalf of those who had no other means left to give expression to their heart-rending agony. Our sole purpose was to make the deaf hear and to give the heedless a timely warning.

"Others have as keenly felt as we have done and from under the seeming sereness of the sea of Indian humanity a veritable storm is about to break out. We have only hoisted the danger signal to warn those who are speeding along without heeding the grave dangers. We have only marked the end of the era of utopian non-violence, of whose futility the rising generation has been convinced beyond the shadow of a doubt. Out of our sincerest good-will to and love of humanity, have we adopted this method of warning, to prevent untold suffer-

ings which we, like millions of others, clearly foresee.

"We have used the expression 'utopian non-violence' in the foregoing paragraph, which requires some explanation. Force, when aggressively applied, is 'violence' and is, therefore, morally unjustifiable. But when it is used in furtherance of a legitimate cause, it has its moral justification. Elimination of force at all costs is utopian and the new movement which has arisen in the country and of which we have given a warning is inspired by the ideals which guided Guru Govind Singh and Shivaji, Kemal Pasha and Reza Khan, Washington and Garibaldi, Lafayette and Lenin. As both the alien Government and the Indian public leaders appeared to have shut their eyes and closed their ears against the existence and voice of this movement we felt it our duty to sound a warning where it could not go unheard.

"We have so far dealt with the motive behind the incident in question and now we must define the extent of our intention. It cannot be gainsaid that we bore no personal grudge or malice against any one of those who received slight injuries or against any other person in the Assembly. On the contrary we repeat that we hold human lives sacred beyond words and would sooner lay down our own lives in the service of humanity than injure anyone else. Unlike mercenary soldiers of imperialist armies, who are disciplined to kill without compunction, we respect and, in so far as it lies in us, attempt to save human life. And still we admit having deliberately thrown bombs into the Assembly chamber.

"Facts, however, speak for themselves, and the intention should be judged from the result of the action without drawing upon hypothetical circumstances and presumptions. Despite the evidence of the Government ex-

pert, the bombs that were thrown in the Assembly chamber resulted in slight damage to an empty bench and a few abrasions in less than half a dozen cases. While the Government scientist ascribed this result to a miracle, we see nothing but precise scientific process in it all. The first two bombs exploded in vacant spaces within wooden barriers of the desks and benches. Secondly, even these who were within two feet of the explosion, for instance Mr. P. R. Rau, Mr. Sanker Rau and Sir George Schuster, were either not hurt or only slightly scratched. Bombs of the capacity deposited to by the Government expert (though his estimate, being imaginary, is exaggerated) loaded with effective charge of potassium chlorate and sensitive picrate would have smashed the barrier, and lain many low within some yards of the explosions. Again, had they been loaded with some other high explosive with the charge of destructive pellets or darts they would have sufficed to wipe out a majority of the members of the Legislative Assembly. Still again, we could have flung them into the official box, choke-full with people of note. And, finally, we could have ambushed Sir John Simon whose luckless Commission was loathed by all responsible people and who was sitting in the President's gallery at the time. All this, however, was beyond our intention and the bombs did no more than they were designed to do and the miracle consisted of no more than deliberate aim which landed them in safe places.

“We then deliberately offered ourselves to bear the penalty for what we had done and to let the imperialist exploiters know that by crushing individuals they cannot kill ideas. By crushing two insignificant units, a nation cannot be crushed. We wanted to emphasise the historical lesson that “*lettres de cachet*” and Bastilles could not

crush the revolutionary movement in France. Gallows and Siberian mines could not extinguish the Russian Revolution. Blood Sundays and Black and Tans failed to strangle the movement of Irish freedom. Can Ordinances and Safety Bills snuff out the flame of freedom in India? Conspiracy cases trumped up or discovered and incarceration of all young men who cherish the vision of a greater ideal cannot check the march of the revolution. But a timely warning, if not unheeded, can help to prevent loss of life and general suffering. We took it upon ourselves to provide this warning and our duty is done.

"Bhagat Singh was asked in the lower court as to what we meant by the word 'revolution.' In answer to that question we could say that 'revolution' does not necessarily involve sanguinary strife, nor is there any place in it for individual vendetta. It is not the cult of the bomb and pistol. By revolution we mean that the present order of things, which is based on manifest injustice, must change. Producers or labourers, in spite of being the most necessary element of society, are robbed by their exploiters of the fruits of their labour and deprived of their elementary right. On the one hand, the peasant who grows corn for all starves with his family. The weaver who supplies the world market with textile fabrics cannot find enough to cover his own and his children's bodies. Masons, smiths and carpenters, who rear magnificent palaces, live and perish in slums. And on the other hand, capitalist exploiters, parasites of society, squander millions on their whims. The terrible inequalities and forced disparity of chances are heading towards chaos. This state of affairs cannot last and it is obvious that the present order of society is merry-making on the brink of a volcano and innocent children of exploit-

ers no less than millions of exploited are walking on the edge of a dangerous precipice. The whole edifice of this civilisation, if not saved in time, shall crumble.

“Radical change, therefore, is necessary, and it is the duty of those who realise this to reorganise society on a socialistic basis. Unless this is done and exploitation of man by man and of nations by nations, which goes masquerading as imperialism, is brought to an end, the suffering and carnage with which humanity is threatened today cannot be prevented and all talk of ending wars and ushering in an era of universal peace is undisguised hypocrisy.

“By revolution we mean the ultimate establishment of an order of society which may not be threatened by such breakdown and in which the sovereignty of the proletariat should be recognised and as a result of which a world federation should redeem humanity from the bondage of capitalism and the misery of imperial wars.

“This is our ideal and with this ideology for our inspiration we have given a fair and loud enough warning. If, however, it goes unheeded and the present system of government continues to be an impediment in the way of the natural forces that are welling up, a grim struggle must ensue, involving the overthrow of all obstacles and the establishment of the dictatorship of the proletariat to pave the way for the consummation of the ideal revolution.

“Revolution is the inalienable right of mankind. Freedom is the imprescriptible birthright of all. The labourer is the real sustainer of society. The sovereignty of the people is the ultimate destiny of workers. For these ideals and for this faith we shall welcome any suffering to which we may be condemned. To the altar of this

revolution we have brought our youth as incense, for no sacrifice is too great for so magnificent a cause. We are content. We await the advent of revolution. Long Live Revolution!"

### **Pamphlet Thrown in the Legislative Assembly**

" 'It takes a loud noise to make the deaf hear'. With these immortal words uttered on a similar occasion by Vaillant the French anarchist martyr, do we strongly justify this act of ours. Without repeating the humiliating story of the past ten years of the working of the Reforms, and without mentioning the insults hurled down upon the head of the Indian Nation through this House, the so-called Indian Parliament, we want to point out that while the people are expecting some more crumbs of reforms from the Simon Commission and are even quarrelling over the distribution of the bones, the Government is thrusting upon us new repressive measures such as the Public Safety Bill and the Trades Disputes Bill, reserving the Press Sedition Bill for the next session.

"The indiscriminate arrests of the Labour leaders working in the open field clearly indicate which way the wind is blowing. In these extremely provocative circumstances, the Hindustan Socialist Republican Association in all seriousness and realising its full responsibility has decided and ordered its 'Army' to do this particular action so that a stop may be put to this humiliating farce and to let the alien bureaucratic exploiters do what they wish but make them come before the public eye in their

naked form.

“Let the representatives of the people return to their constituencies and prepare the masses for the coming revolution and let the Government know that while protesting against the Public Safety Bill and Trades Disputes Bill and the callous murder of Lala Lajpat Rai, on behalf of the helpless Indian masses we want to emphasise the lesson often repeated by history that it is easy to kill individuals but you cannot kill ideas. Great empires have crumbled while ideas have survived. The Bourbons and the Czars fell, while revolutions marched triumphantly over their heads.

“We are sorry to admit that we who attach so great a sanctity to human life, we who dream of a very glorious future when man will be enjoying perfect peace and full liberty, have been forced to shed human blood. But the sacrifice of individuals at the altar of revolution which will bring freedom to all, rendering the exploitation of man by man impossible, is inevitable. Long Live the Revolution!”

## CHAPTER XIII

### BINA DAS

The second Civil Disobedience Movement in 1932 started with the sudden arrest of Congress leaders a few days after Mahatma Gandhi's return from the Round Table Conference as sole representative of the Congress.

Lord Willingdon who had succeeded Lord Irwin (later Earl of Halifax) as Viceroy and Governor-General said that he would crush the Congress and the forces it represented. Within a fortnight repression was let loose on the country and conditions bordering on martial law were enforced.

Early in 1932, the Calcutta University was having its Convocation for conferring degrees. When Sir Stanley Jackson, Governor of Bengal and Chancellor of the Calcutta University, got up in the Senate Hall to deliver the Convocation address, a young girl, Miss Bina Das, one of the recipients of the B.A. degree, shot at him. The Governor escaped unhurt. She was promptly arrested and put up later before a special tribunal who sentenced her to 9 years' imprisonment.

The news created a sensation in the country and Bina Das's name became a household word.

Her very courageous statement before the tribunal that was set up to try her case is given below.

At present Bina Das is a notable Congress worker of Calcutta and a member of the Bengal Legislative Assembly.

**Bina Das's Statement**

“I confess I fired at His Excellency the Governor on the last Convocation Day at the Senate House. I hold myself entirely responsible for it. My object was to die, and if to die, to die nobly, fighting against this despotic system of government, which has kept my country in perpetual subjection to its infinite shame and endless suffering; and fighting in a way which cannot but tell.

“I fired at the Governor impelled by my love of my country which is being repressed, and what I attempted to do for the sake of my country was a great violence to my own nature too. I am glad that the life of Sir Stanley Jackson has been saved by Providence and that Lady Jackson and her children have been spared their terrible misfortune; and I am glad to have attained my end without loss of life.

“I have been grieved to learn that Dr. Dinesh Chandra Sen is said to have been injured at the Convocation Hall. I had not the slightest intention to do any harm to him or to anybody else, neither did it strike me in the least that my act would affect him or anybody else in any way.

“I can only place here the state of my mind which led me on to this act, which I do realise was an outrage to my nature and a severe injustice to the family to which I belong and the institution where I was having my education—an institution which loved me dearly and exercised the highest influence on my life and character, and which I looked upon with all regard due to a mother. But the love of my country was always uppermost and supreme in my mind and I felt very deeply in my heart the condition of my country.

“I had been thinking—Is life worth living in an India

so subject to wrong and continually groaning under the tyranny of a foreign government, or is it not better to make one supreme protest against it by offering one's life away? Would not the immolation of a daughter of India and of a son of England awaken India to the sin of its acquiescence in its continuous state of subjection, and England in the iniquities of its proceedings? This was the one question that kept thundering at the gates of my brain like the incessant hammer-blow that could neither be muffled nor stilled.

"My sense of religion and morality is not inconsistent with my sense of political freedom. I believe that a person who is a slave politically cannot realise God who is the spirit of freedom and has made His sons and daughters free to share in the joy that is in Him. I have held, therefore, that political freedom is organically connected with religion and morality; and there ought to be no conflict between them. In fact, I feel in my heart of hearts that the best and the divine in humanity cries in revolt against all forms of tyranny in this world.

"Political freedom, religion and moral ideals should, therefore, be blended together into one harmonious whole and the subject races inhabiting this globe should be politically free. It was for the purpose of bringing this fact home to the thinkers in India and other countries that I selected the Convocation Hall of my sacred Alma Mater as my field of action.

"I am emotional in my temperament. Every act of humiliation to my country, nay, any suffering even to an animal would cause the severest pain to me, which would almost make me mad till it found expression in some work of relief. All the ordinances, all measures to put down the noble aspiration for freedom in my coun-

trymen, came as a challenge to our national manhood and as indignities hurled at it. This hardened even my tender feminine nature into one of heroic mould.

“I studied in the Diocesan College for my B.A. Degree and passed with Honours in English and my father sent me to that College again for an additional course of study for the B.T. Degree in order to bring me into closer touch with truly Christian souls and to give me opportunities to see the best side of British character. I gratefully acknowledge that I have immensely profited by my study under the Sisters of my dear College. But at the same time, with the comparative knowledge of things, I felt, and felt with deep anguish, that the Christian spirit was not much in evidence in the administration of a Christian government.

“The series of ordinances savouring of martial law, to my mind, showed nothing but a spirit of vindictiveness and were only measures to crush down all aspirations for freedom. The outrages perpetrated in the name of the Government at Midnapore, Hijli and Chittagong which is my own district—although I have never seen it—and the refusal to publish the official enquiry reports, were things I could never drive away from my mind. The outrages on Amba Dassi of Contai and Niharbala of Chittagong literally upset my whole being. I was private tutor to the wife of a detenu. Everyday I saw with my own eyes the sufferings of the poor girl leading the life of widowhood in the lifetime of her husband, the almost demented mother and the father everyday sinking into the grave without their having the faintest notion of the nature of their son’s supposed guilt.

“I attended the Court to see the trial of my own sister, Kalyani Das. Her punishment to serve a term of rigorous

imprisonment for attending a meeting which could not be held, and for being member of an unlawful Society, without any evidence to show that she was a member thereof except a leaflet, which I learnt was published and circulated without her knowledge, was to my mind extremely unjust. She is a Graduate with Honours and lived in all the comforts of the life of a well-to-do respectable family; still for some days of her life in prison she was subjected to the ignominy of jail dress and jail diet of an ordinary criminal and had even to pass sleepless nights amongst such criminals. I saw all these with my own eyes and also saw the bitter tears welling out of my dear parents. I thought such must be the sufferings of many families, and many men and women to be counted by thousands.

"All these and many others worked on my feelings and worked them into a frenzy. The pain became unbearable and I felt I would go mad if I could not find relief in death. I only sought the way to death by offering myself at the feet of my country and thus make an end of all my sufferings and invite the attention of all by my death to the situation created by the measures of the Government, which can unsex even a frail woman like myself brought up in all the best traditions of Indian womanhood.

"I can assure all that I could have no grudge against any person or any thing on earth. I have no sort of personal feeling against Sir Stanley Jackson, the man. He is just as good to me as my father; and Lady Jackson, the woman, is also just as good to me as my mother. But the Governor of Bengal represents a system which has kept enslaved 300 millions of my countrymen and countrywomen.

“Now I stand alone before the judgment seat of God and open myself before Him and pray for His all-forgiving love to wash me clean, that I may be a worthy offering to Him. May I see the benignant countenance of the Mother Divine and feel Her loving embrace for me, even for me, at this the most solemn moment of my life, if it be Her will that I should die; or consecrate my life to the service of suffering humanity, which was the deepest longing of my heart, if She out of Her infinite mercy spares it to be used by Her as Her instrument. May God fulfil Himself through my death or life, if it so pleases Him.

“THY WILL BE DONE, O GOD”





Photo by A. J. Patel, Photo Central, Bomk  
**PANDIT JAWAHARLAL NEHRU**

## CHAPTER XIV

### PANDIT JAWAHARLAL NEHRU

Given below is the full statement made by Pandit Jawaharlal Nehru in November, 1940, before the trying magistrate at Gorakhpur.

#### Statement

"I have been told that the charge against me is based on the reports of three speeches I delivered in the Gorakhpur District early in October last. Copies of these reports, and in one case a translation into English, have been given to me. I have read these and I cannot congratulate the persons who were responsible for the reporting. These reports, though presumably taken down in shorthand, are scrappy and incomplete, confusing and often making little sense. I am a lover of words and phrases and try to use them appropriately. Whatever my opinions might be, the words I use are meant to express them intelligibly and in ordered sequence. A reader of these reports will find little intelligence or sequence in them, and is likely to obtain an entirely distorted impression of what I actually said.

"I make no complaint of this reporting and I do not suggest that deliberate distortions have been made. But I do want to make it clear that what I said was in many respects entirely different from what the jumble of words in the reports would lead me to imagine. If this is so in the reporting of my speeches, when particular care is

taken and the more qualified men are employed, I cease to wonder at what happens when the speeches of others are reported by totally unqualified persons, and these are made the basis of charges in courts of law.

“It is not my intention to give details of the many errors and mistakes in these reports. That would mean re-writing them completely. That would waste your time, Sir, and mine, and would serve little purpose. I am not here to defend myself, and perhaps what I say in this statement will make your task easier. I do not yet know the exact nature of the charge against me. I gather that it has something to do with the Defence of India Rules and that it relates to my references to the war and to the attempts being made to compel the people of India to take part in the war effort. If that is so, I shall gladly admit the charge. It is not necessary to go to garbled reports to find out what I or other Congressmen say in regard to India and the war. The Congress resolutions and statements, carefully and precisely worded, are there for all the world to know. By these resolutions and statements I stand, and I consider it my duty to take the message of the Congress to the people of India.

“As a matter of fact, ever since the Congress came to the conclusion that, in order to give effect to the Congress policy, *satyagraha* or civil disobedience should be started, I have endeavoured to check myself in my utterances and to avoid what might be termed *satyagraha*. Such was the direction of our Chief, Mahatma Gandhi, who desired that the *satyagraha* should be confined to particular persons of his choice. One such person was selected and he expressed in public utterances the Congress attitude to the war, laying some emphasis on the Congress policy of non-violence. It was my good fortune to have been selected

to follow him and to give expression to the Congress viewpoint, with perhaps greater emphasis on the political aspect. It had been decided that I should do so, after giving due notice to the authorities, from November 7th onwards, in the district of Allahabad. That programme has been varied owing to my arrest and trial, and the opportunity to give frank and full expression to the Congress policy in regard to the war has come to me earlier than I anticipated.

"If I was chosen, or before me Shri Vinoba Bhave was chosen for this purpose, it was not to give expression to our individual views. We were symbols of the people of India. As individuals we may have counted for little, but as such symbols and representatives of the Indian people, we counted for a great deal. In the name of those people we asserted their right to freedom and to decide for themselves what they should do and what they should not do; we challenged the right of any other authority, by whomsoever constituted, to deprive them of this right and to enforce its will upon them. It was monstrous that any individual or group of individuals, deriving no authority from the Indian people and not responsible to them in any way, should impose their will upon them and thrust the hundreds of millions of India, without any reference to them or their representatives, in a mighty war which was none of their seeking. It was amazing and full of significance that this should be done in the name of freedom and self-determination and democracy, for which, it was alleged, the war was being waged. We were slow in coming to our final conclusions; we hesitated and parleyed; we sought a way out honourable to all the parties concerned. We failed and the inevitable conclusion was forced upon us that so far as the British Gov-

ernment or their representatives in India were concerned, we were still looked upon as chattels to do their will and to continue to be exploited in their imperialist structure. That was a position which we could never tolerate, whatever the consequences.

"There are very few persons in India, I suppose, whether they are Indians or Englishmen, who have for years past so consistently raised their voices against fascism and nazism as I have done. My whole nature rebelled against them and, on many an occasion, I vehemently criticised the pro-fascist and appeasement policy of the British Government. Ever since the invasion of Manchuria, and subsequently in Abyssinia, Central Europe, Spain and China, I saw with pain and anguish how country after country was betrayed in the name of this appeasement and the lamps of liberty were being put out. I realised that imperialism could only function in this way; it had to appease its rival imperialisms, or else its own ideological foundations were weakened. It had to choose between this and liquidating itself in favour of democratic freedom. There was no middle way.

"So long as appeasement applied to Manchuria, Abyssinia, Czechoslovakia, Spain and Albania, 'to far-away countries about which few people had ever heard', as the then Prime Minister of England put it, it did not matter much and was faithfully pursued. But when it came nearer home and threatened the British Empire itself, the clash came and war began.

"Again there were two alternatives before the British Government and each Government engaged in the war—to continue to function in the old imperialist way or to end this in their own domains and become the leaders of the urge for freedom and revolutionary change the world

over. They chose the former, though they talked still in terms of freedom and self-determination and democracy. But their conception of freedom was, even in words, limited to Europe, and evidently meant freedom to carry on with their Empire in the old way. Not even peril and disaster have weakened their intention to hold on to their Empire and to enforce their will upon subject peoples. In India we have had over a year of war government. The people's elected legislatures have been suspended and ignored and a greater and more widespread autocracy prevails here than anywhere else in the world. Recent measures have suppressed completely such limited freedom, as the Press possessed, to give facts and opinions. If this is the prelude to the freedom that is promised us, or to the 'new order' about which so much is said, then we can well imagine what the later stages will be when England emerges as a full-blooded fascist State.

"I am convinced that the large majority of the people of England are weary of empire and hunger for a real new order. But we have to deal not with them but with their Government and we have no doubt in our minds as to what that Government aims at. With that we have nothing in common and we shall resist it to the uttermost. We have therefore decided to be no parties to this imposed war and to declare this to the world. This war has led already to widespread destruction and will lead to even greater horror and misery. With those who suffer we sympathise deeply and in all sincerity. But unless the war has a revolutionary aim of ending the present order and substituting something based on freedom and co-operation, it will lead to a continuation of wars and violence and uttermost destruction.

"That is why we must dissociate ourselves from this

war and advise our people to do likewise and not help in any way with money or men. That is our bounden duty. But even apart from this, the treatment accorded to the Indian people during the past year by the British authorities, the latter's attempts to encourage every disruptive and reactionary tendency, their forcible realisations of money for the war from even the poor of India, and their repeated affronts to Indian nationalism, are such that we can never forget them or ignore them. No self-respecting people can tolerate such behaviour, and the people of India have no intention of tolerating it.

"I stand before you, Sir, as an individual being tried for certain offences against the State. You are a symbol of that State. But I am also something more than an individual—I too am a symbol at the present moment, a symbol of Indian nationalism, resolved to break away from the British Empire and achieve the independence of India. It is not me that you are seeking to judge and condemn, but rather the hundreds of millions of the people of India, and that is a large task even for a proud Empire. Perhaps it may be that though I am standing before you on my trial, it is the British Empire itself that is on its trial before the bar of the world. There are more powerful forces at work in the world today than courts of law; there are elemental urges for freedom and food and security which are moving vast masses of people, and history is being moulded by them. The future recorder of this history might well say that, in the hour of supreme trial, the Government of Britain and the people of Britain failed because they were drunk with the wine of imperialism and could not adapt themselves to a changing world. He may muse over the fate of empires which have always fallen because of this weak-

ness and call it destiny. Certain causes inevitably produce certain results. We know the causes; the results are following inexorably in their train.

“It is a small matter what happens to me in this trial or subsequently. Individuals count for little; they come and go, as I shall go when my time is up. Seven times I have been tried and convicted by British authority in India, and many years of my life lie buried within prison walls. An eighth time or a ninth, and a few more years, make little difference. But it is no small matter what happens to India and her millions of sons and daughters. That is the issue before me and that, ultimately, is the issue before you, Sir. If the British Government imagines that it can continue to exploit them and play about with them against their will, as it has done for so long in the past, then it is grievously mistaken. It has misjudged their present temper and read history in vain.

“I should like to add that I am happy to be tried in Gorakhpur. The peasantry of Gorakhpur are the poorest and the most long-suffering in my province. They are the products of a hundred and fifty years of British rule and the sight of their poverty and misery is the final condemnation of the authority that has dealt with them these many years. I am glad that it was my visit to Gorakhpur district and my attempt to serve its people, that has led to this trial.”

## CHAPTER XV

### SUBHAS CHANDRA BOSE—LETTERS FROM JAIL

#### In the Cause of Freedom and Truth

“I do not feel up to writing a long letter and I must wait till I can summon sufficient energy for the purpose. I had a long heart-to-heart talk with Baradada (elder brother) about the Government offer and he must have acquainted you all with my views. I appreciated the opportunity given to me of having a private interview and the Hon’ble the Home Member has my profound thanks for the courtesy shown. It is a welcome departure from the sort of treatment hitherto meted out to me. The reply from the Bengal Government which Baradada communicated to me on the 27th April (the day before he left) has made the issue clearer for both parties. Taking stock of the present position, I have to say that I affirm the attitude I took up in my reply of the 11th April to the Government offer. My decision follows directly from my general outlook on life and close thinking only serves to confirm it.

“The longer I live in jail, the stronger does the conviction grow within me that the struggles in this world are at bottom conflict of ideas, conflict between false and true ideas, or as some would like to say, between different degrees of truth. Ideas are the stuff of which human movements are made and they are not static but dynamic



SUBHAS CHANDRA BOSE



and militant. They are as dynamic as the absolute ideas of Hegel, the blind will of Hartmann and Schopenhauer, the *elan vital* of Henri Bergsson. Ideas will work out their own destiny and we, who are but clods of clay encasing sparks of the divine fire, have only got to consecrate ourselves to these ideas. A life so consecrated is bound to fulfil itself, regardless of the vicissitudes of our material and bodily existence. My faith in the ultimate triumph of the idea for which I stand, is unflinching and I am not, therefore, troubled by thoughts about my health and future prospects.

"I have stated my point of view clearly and unambiguously in my letter to the Government and no sophistry is possible thereafter. I am sorry that some critics should be so unkind as to say that I am bargaining for better terms. I am not a shopkeeper and I do not bargain. The slippery path of diplomacy I abhor, as unsuited to my constitution. I have taken my stand on a principle and there the matter rests. I do not attach so much importance to my bodily life that I should strive to save it by a process of haggling. My conception of values is somewhat different from that of the market place and I do not think that success or failure in life should be determined by physical or material criteria. Our fight is not a physical one and it is not for a material object either. As St. Paul has said, 'We wrestle not against flesh and blood but against principalities, against powers, against the rulers of the darkness of this world, against spiritual wickedness in high places.' Our cause is the cause of freedom and truth, as sure as day follows night that cause will ultimately prevail. Our bodies may fail and perish; but, with faith undiminished and will unconquerable, triumph will be ours. It is, however, for Providence to

ordain who of us should live to witness the consummation of all our efforts and labours, and, as for myself, I am content to live my life and leave the rest to destiny.

“One word more before I close. It is not possible for me at this stage to decide whether I should go to Switzerland. I am at present physically incapable of undertaking a journey to Switzerland and I need preliminary treatment at some health resort in India. How long it will be before I am declared fit to travel abroad, following a course of preliminary treatment I do not know. One thing is certain. Until I am very much better, a journey to Switzerland is, from the medical point of view, out of question. Further, if I improve remarkably well while I am at a health resort in India, it may not be necessary at all to go abroad except for the purpose of voluntary externment. Then there is the financial question. I shall have to consult the purse, which is none too full. I shall also have to consult the members of our family, particularly our parents, before I can decide to leave my home and country for an indefinite period. The political situation in India may change during the next few months and the Bengal Government may of their own accord feel inclined to alter their angle of vision.

“All these factors have to be weighed carefully before I can finally make my choice and I would prefer not to be stampeded into signing my warrant of exile. If the question of my compulsory residence in Switzerland is regarded by the Government as a *sine qua non*, you need have no hesitation in breaking off all negotiations. God is great and certainly greater than His own handiwork, man, and while we trust in Him we shall not come to grief. I am pained to realise what anxiety and worry I have been causing in too many loving and sympathetic

hearts, but I console myself by thinking that those who believe in a common motherland (I shall not say father-land) have a common heritage and have to share their joys and sorrows.

## 2

"I am writing this in connection with my letter of the 30th October, 1940, addressed to the Hon. the Home Minister (copy of which was forwarded to the Chief Minister and my confidential letters to the Superintendent, Presidency Jail, dated the 30th October and 14th November, which were forwarded to Government in due course. Herein I shall recapitulate what I have to say regarding my own case and shall also put down in black and white the considerations that are impelling me to take the most fateful step in my life.

"I have no longer any hope that I shall obtain redress at your hands. I shall, therefore, make but two requests —the second of which will be at the end of this letter. My first request is that this letter be carefully preserved in the archives of the Government, so that it may be available to those of my countrymen who will succeed you in office in future. It contains a message for my countrymen and is, therefore, my political testament.

"I was arrested without any official explanation or justification on the second July, 1940, and as per orders of the Government of Bengal, under Section 129 of the Defence of India Rules. The first explanation subsequently emanating from the official sources came from the Rt. Hon. L. S. Amery, Secretary of State for India, who stated in the House of Commons quite categorically that the reason of the arrest was in connection with the

movement for the Holwell Monument in Calcutta.

"The Chief Minister virtually confirmed this pronouncement at a sitting of the Bengal Legislative Assembly and stated that it was the Holwell Monument *Satyagraha* which stood in the way of my release. When the Government decided to remove the monument, all those who had been detained without trial in connection therewith were set free, with the exception of Mr. Narendra Narayan Chakravarti, M.L.A., and myself. These releases took place towards the end of August, 1940, and almost simultaneously an order for my permanent detention was served under Section 26 of the Defence of India Rules, in lieu of the original order under Section 129 which provided for temporary detention.

"Strangely enough, with the new order under Section 26, came the news that prosecution was being launched against me under Section 38 of the Defence of India Rules before two Magistrates for three of my speeches and for a contributed article in the weekly journal, *Forward Bloc*, of which I had been the editor. Two of these speeches had been delivered in February, 1940, and the third one early in April. Thus the Government created a unique and unprecedented situation towards the end of August last by detaining me permanently without trial under one Section of the Defence of India Rules and by simultaneously prosecuting me before a judicial tribunal under another Section of the Same Rules. I had not seen a similar combination of executive fiat and judicial procedure before this occurrence took place. Such a policy is manifestly illegal and unjust and smacks of vindictiveness, pure and simple.

"One cannot fail to notice that the prosecution was launched long after the alleged offences had taken place.

Nor can it be overlooked that for the relevant article in *Forward Bloc*, the paper had already been penalised through forfeiture of the security of Rs. 2,500 and deposit of a further security of Rs. 2,000. Moreover, the attack on the paper was made all of a sudden after a long period during which no warning had been given to the paper in accordance with the practice of the Government.

"The attitude of the Bengal Government was further exposed when applications for my release on bail were made before the two trying Magistrates. Both these applications were stoutly opposed by the Government spokesmen. On the last occasion, one of the Magistrates, Mr. Waliul-Islam granted the bail application, but was constrained to remark that his order would remain infructuous till the Government withdrew their order for my detention without trial under Section 26 of the Defence of India Rules. It is thus as clear as daylight that the Government have been pursuing a policy which fetters the discretion of judicial tribunals and interferes with the administration of law. The action of the Local Government appears all the more objectionable when it is remembered that they have given the go-by to the instructions of the Government of India with regard to such cases.

"Another interesting feature of the Government's policy is my simultaneous prosecution before two Magistrates. If the intention was to place more than one speech of mine before a court of law, that could very well have been fulfilled without resorting to two Magistrates, for I have delivered any number of speeches during the last twelve months within the limits of Calcutta proper. The man in the street is therefore forced to think that Gov-

ernment are so keen on seeing me convicted that they have provided for a second string to the legal bow.

“Last, but not least, Government’s action appears to an impartial man to be altogether *mala fide*, because proceedings were instituted so long after the alleged prejudicial acts had been committed. If the acts in question were, in fact, prejudicial, then action should have been taken by Government long ago, i.e., at the time that the alleged offences were committed.

“May I request you to compare for one moment your attitude towards people like myself and towards Muslims arrested and imprisoned under the Defence of India Rules? How many cases have occurred up till now in which Muslims apprehended under the Defence of India Rules have been suddenly released without rhyme or reason? The latest example of the Maulvi of Murapara is too fresh in the public mind to need recounting. Are we to understand that under your rule there is one law for the Muslim and another for the Hindu and that the Defence of India Rules have a different meaning when a Muslim is involved? If so, the Government might as well make a pronouncement to that effect.

“Let it be argued or suggested for one moment that for my incarceration, the Government of India, and not the Local Government, are responsible. I may remind you that in connection with an adjournment motion concerning myself tabled by Pandit L. K. Moitra, M.L.A. (Central), before the Indian Legislative Assembly only the other day, it was stated on behalf of the Government of India that the matter should not come before the Central Assembly, since I had been incarcerated by the Bengal Government. I believe a similar admission was made in the Bengal Legislative Assembly on behalf of

the Ministry.

“And we cannot forget that here in Bengal, we live under the benign protection of a “popular” ministry.

“My recent election to the Indian Legislative Assembly has raised another issue, that of ‘immunity’ from imprisonment for members of the Legislature while the Legislature is in session. This is a right inherent in every constitution, no matter whether it is explicitly provided in the Statute or not, and this right has been established after a protracted struggle. Quite recently, the Burma Government allowed a convicted prisoner to attend the sittings of the Burma Legislative Assembly, but though I am not a convicted prisoner, I have been denied that right by our “popular” ministry.

“If apologists attempt to invoke the precedent of Captain Ramsay, M.P., in support of the Government, I may point out that Captain Ramsay’s case stands on a different footing altogether. Serious charges have been preferred against him but all the facts not being known to us, it is difficult to argue either way. One may, however, urge that if Captain Ramsay has been unjustly imprisoned, and no redress will be ultimately forthcoming, it would lend substance to what Mr. Kennedy (American Ambassador to Great Britain) and others are reported to have said, namely, that democracy is dead in England. In any case, Capt. Ramsay has had the opportunity of getting his case examined by a Committee of the House of Commons.

“In dealing with my case generally two broad issues have now to be considered. Firstly, have the Defence of India Rules any sanction, ethical or popular? Secondly, have the Rules, as they stand, been properly applied in my case? The answers to both the questions are in

the negative.

"The Defence of India Rules have no ethical sanction behind them because they constitute an infringement of the elementary rights and liberties of the people. Moreover they are essentially a war-measure, and as is known to everybody, India was declared a belligerent power and was dragged into the war, without the consent of the Indian people or the Indian Legislature. Further, these rules militate against the claim so vociferously made in Britain that she is fighting the cause of freedom and democracy. And, lastly, the Congress Party in the Central Assembly was not a party to the adoption of the Defence of India Act or the Defence of India Rules. In these circumstances, it would not be improper to ask whether the Defence of India Rules should not more appropriately be called the Suppression of India Rules or the Defence of Injustice Rules.

"It may be urged on behalf of the Government that the Defence of India Act being an Act of the Central Legislature, all provincial Governments are obliged to administer the Rules framed thereunder. But enough has already been said above to justify the charge that the Rules, even as they stand, have not been properly applied in my case. There has been manifest illegality and injustice. Only one explanation can, to my mind, account for such a strange conduct, viz., that Government have been pursuing a frankly vindictive policy towards me for reasons that are quite inexplicable.

"For more than two months, the question has been knocking at the door of my conscience over and over again, as to what I should do in such a predicament. Should I submit to the pressure of circumstances and accept whatever comes my way, or should I protest

against what, to me, is unfair, unjust and illegal? After the most mature deliberation I have come to the conclusion that surrender to circumstances is out of the question. It is a more heinous crime to submit to a wrong inflicted than to perpetrate that wrong. So, protest I must.

“But all these days, protest has been going on and the ordinary methods of protest have all been exhausted. Agitation in the Press and on the platform, representations to Government, demands in the Assembly, exploration of legal channels, have not all of these been already tried and found ineffective? Only one method remains the last weapon in the hands of a prisoner, i.e., hunger-strike or fast.

“In the cold light of logic I have examined the pros and cons of this step and have carefully weighed the loss or gain that will accrue to it. I have no illusion in the matter and I am fully conscious that the immediate tangible gain will be nil, for I am sufficiently conversant with the behaviour of Governments and bureaucracies during such crises. The classic and immortal examples of Terence MacSwiney and Jatin Das are floating before my mind’s eye at the moment. A system has no heart that could be moved, though it has a false sense of prestige to which it always clings.

“Life under existing conditions is intolerable for me. To purchase one’s continued existence by compromising with illegality and injustice goes against my very grain. I would throw up life itself rather than pay this price. Government are determined to hold me in prison by brute force. I say in reply, ‘Release me or I shall refuse to live—and it is for me to decide whether I choose to live or to die.’

"Though there may be no immediate tangible gain, no sacrifice is ever futile. It is through suffering and sacrifice alone that a cause can flourish and prosper and in every age and clime the eternal law prevails—'the blood of the martyr is the seed of the Church.'

"In this mortal world, everything perishes and will perish, but ideas, ideals and dreams do not. One individual may die for an idea but that idea will, after his death, incarnate itself in a thousand lives. That is how the wheels of evolution move on, the ideas and dreams of one generation are bequeathed to the next. No idea has fulfilled itself in this world except through an ordeal of suffering and sacrifice.

"What greater solace can there be than the feeling that one has lived and died for a principle? What higher satisfaction can a man possess than the knowledge that his spirit will beget kindred spirits to carry on his unfinished task? What better reward can a soul desire than the certainty that his message will be wafted over hills and dales and over the broad plains, to every corner of his land and across the seas to distant lands?" What higher consummation can life attain than peaceful self-immolation at the altar of one's cause?

"Hence it is evident that nobody will lose through suffering and sacrifice. If he does lose anything of the earthly, he will gain much more in return, by becoming the heir to a life immortal.

"This is the technique of the soul. The individual must die, so that the nation may live. Today I must die so that India may live and may win freedom and glory.

"To my countrymen I say 'Forget not that the greatest curse for a man is to remain a slave. Forget not that the grossest crime is to compromise with injustice and

wrong. Remember the eternal law—you must give life, if you want to get it. And remember that the highest virtue is to battle against inequality, no matter what the cost may be.'

"To the Government of the day I say; 'Cry halt to your mad drive along the path of communalism and injustice. There is yet time to retrace your steps. Do not use a boomerang which will soon recoil on you. And do not make another Sind of Bengal.'

"I have finished. My second and last request to you is that you should not interfere forcibly with my fast but should permit me to approach my end peacefully. In the case of Terence MacSwiney, of Jatin Das, of Mahatma Gandhi and in my own case in 1926, Government decided not to interfere with the fast. I hope they will do the same this time. Otherwise any attempt to feed me by force will be resisted with all my strength though the consequences thereof may be even more drastic and disastrous than otherwise. I shall commence my fast on the 29th November, 1940.

"P.S. As in my previous fasts, I shall take only water with salt. But I may discontinue this later on, if I feel called upon to do so."

. 3

"This is my final appeal to you.

"I have already written to Government requesting them not to resort to forcible feeding and informing them that if this is, nevertheless, attempted, I shall have to resist it with all my strength, though the consequences thereof may be "more drastic and disastrous than otherwise." In my confidential letter to the Superintendent, Presidency Jail, dated the 30th October last and in my

letter to Government dated the 26th November, I made my position perfectly clear. I was, therefore, surprised when I got hints from the jail authorities that forcible feeding was still being contemplated in my case.

“I shall not repeat all the arguments urged by me on this subject in the above two letters, but I desire to recapitulate briefly my position once again.

“Firstly, Government have no moral right to feed me forcibly when they are responsible for making my life intolerable through injustice and illegality, strongly tinged with communalism.

“Government have no legal authority either to feed me forcibly in these circumstances. There is no law that I know of, which empowers Government to use force in this manner. A departmental order of Government cannot take the place of law, particularly when it infringes the elementary rights and liberties of the individual.

“If any attempt is made to feed me forcibly in spite of my repeated requests to the contrary, all those directly or indirectly responsible for it will become civilly and criminally liable for any injury or pain, bodily or mental, that may be inflicted on me thereby.

“Apart from the above points of principle, my physical condition both before and after the commencement of the fast should render it impossible for forcible feeding to be attempted in my case. It should be quite clear that under such circumstances, forcible feeding will defeat its own purpose and instead of prolonging life will hasten its end. Civil and criminal liability for the use of force will, owing to this consideration, be naturally aggravated.

“I may inform you in this connection that in the event of forcible feeding being resorted to, I shall have no

option but to take steps to relieve myself of the unbearable, protracted agony resulting from it. This could be done only by suicide, and the responsibility for it will rest entirely with the Government. For a man who has turned his back on life there are a hundred ways of reaching his end and no power on earth can prevent his death. I have chosen the most peaceful method and it would be sheer brutality to force me to adopt a less peaceful or more drastic remedy. The step that I have now taken is not an ordinary fast. It is the result of several months' mature deliberation finally sealed by a vow prayerfully taken by me on the sacred day of Kali Puja.

“I have been on hunger-strike several times before, but this fast is of an unusual type, never resorted to by me previously.

“Man does not live by bread alone. He needs moral and spiritual sustenance as well. When he is denied the latter, you cannot expect him to live, merely to further your plans or fit in with your scheme of things.

“I have already said in my letter of the 26th November that I have but two requests to make of you—firstly, that my letter of the 26th November, which is my political testament, be carefully preserved in the archives of the Government and, secondly, that I be allowed to approach my end peacefully. Is that asking too much of you?”

### **Government of India's Threat**

Sir,

The other day I received a letter from the British Consul in Vienna which runs thus:—

Sir,

I have today received instructions from the Secretary of State for Foreign Affairs to communicate to you a warning that the Government of India have seen in the Press statements that you propose to return to India this month and the Government of India desire to make it clear to you that should you do so you cannot expect to remain at liberty.

I am, etc.,  
J. W. Taylor,  
*His Majesty's Consul.*

"I was arrested on January 2, 1932, in India, and detained in prison till February 22, 1933, without any trial. Though I repeatedly asked for it, I was never informed of the charge or complaint which the Government of India had against me. When I fell seriously ill and several medical boards appointed by the Government to examine me recommended that I should be either released or allowed to proceed to Europe for treatment, the Government of India permitted me to sail for Europe and withdrew the order of detention. I have been in Europe virtually for the last three years. Only once have I been to India during this period, namely, in December 1934, when I went to see my dying father and stayed there for six weeks. During my brief stay in India I was made a prisoner in my house.

"I now want to go home and I am served with this official threat. My last imprisonment was bad enough legally and ethically. But the proposed imprisonment, in the event of my returning to India now, beats all records. May I ask if this is how British Law is going to be administered in India and if this is a foretaste of the

expanded liberty which the new constitution will usher in?

(Austria, March 17)

"Yours, etc.,  
"Subhas Chandra Bose."

### "Why I Left India

"I would like to tell you quite frankly what made me leave home and homeland, on a journey that was fraught with danger of every kind. I was lodged safely in a British prison, when I silently resolved to risk everything in the attempt to escape from the clutches of the British. Having been in prison eleven times, it was much easier and much safer for me to continue there, but I felt that the cause of India's independence demanded a journey abroad, regardless of the risk that it involved.

"It took me full three months of prayer and meditation to decide if I had strength enough to face death in fulfilling my duty. Before I could slip out of India, I had to get out of prison, and in order to do so I had to go on hunger-strike, demanding my release. I knew that neither in India, nor in Ireland, had a prisoner succeeded in forcing the British Government to release him. I knew also that Terence MacSwiney and Jatin Das had died in the attempt to force the Government's hands. But I felt convinced that I had a historic task to fulfil. So I took the plunge, and after seven days of hunger-strike, the Government unexpectedly got unnerved and set me free, with the intention of taking me back to prison again after a month or two. But before they could seize me again, I became a free man. . .

"Friends! You know that I have been actively working in the independence movement ever since I left the University in 1921. I have been through all the civil

disobedience campaigns during the last two decades. In addition to this, I have been repeatedly put in prison without trial, on the suspicion of having been connected with secret revolutionary movements—whether non-violent or violent.... In the light of this experience, I came to the conclusion that all the efforts that we could put forward inside India would not suffice to expel the British from our country....

"To put it briefly, therefore, my object in leaving India was to supplement from outside the struggle going on at home. On the other hand, the supplementary help from outside, which the national struggle at home so urgently needs, is in reality very small. The help that our countrymen at home needed and still need is a two-fold one, moral and material. Firstly, they have to be morally convinced that their victory is assured. Secondly, they have to be given military help from outside.

"The time has come when I can openly tell the whole world, including our enemies, as to how it is proposed to bring about national liberation. Indians outside India, particularly Indians in East Asia, are going to organise a fighting force which will be powerful enough to attack the British Army in India. When we do so, a revolution will break out, not only among the civil population at home but also among the Indian Army which is now standing under the British Flag. When the British Government is thus attacked from both sides—from inside India and from outside—it will collapse, and the Indian people will then regain their liberty. According to my plan, therefore, it is not even necessary to bother about the attitude of the Axis Powers towards India. If Indians outside and inside India will do their duty it is possible for the Indian people to throw the British out of India and

liberate 380 millions of their countrymen.

“Friends, let the slogan of three million Indians in East Asia be: ‘Total Mobilisation for a Total War.’ Out of the total mobilisation I expect at least three lakhs of soldiers and three crores of dollars. I want also a unit of brave Indian women to form a death-defying Regiment who will wield the sword which the brave Rani of Jhansi wielded in India in India’s First War of Independence in 1857. . . .

“Our countrymen at home are now hard pressed and they are demanding a second front. Give me total mobilisation in East Asia and I promise you a second front—a real second front for the Indian struggle.”

## CHAPTER XVI

### RAM MANOHAR LOHIA

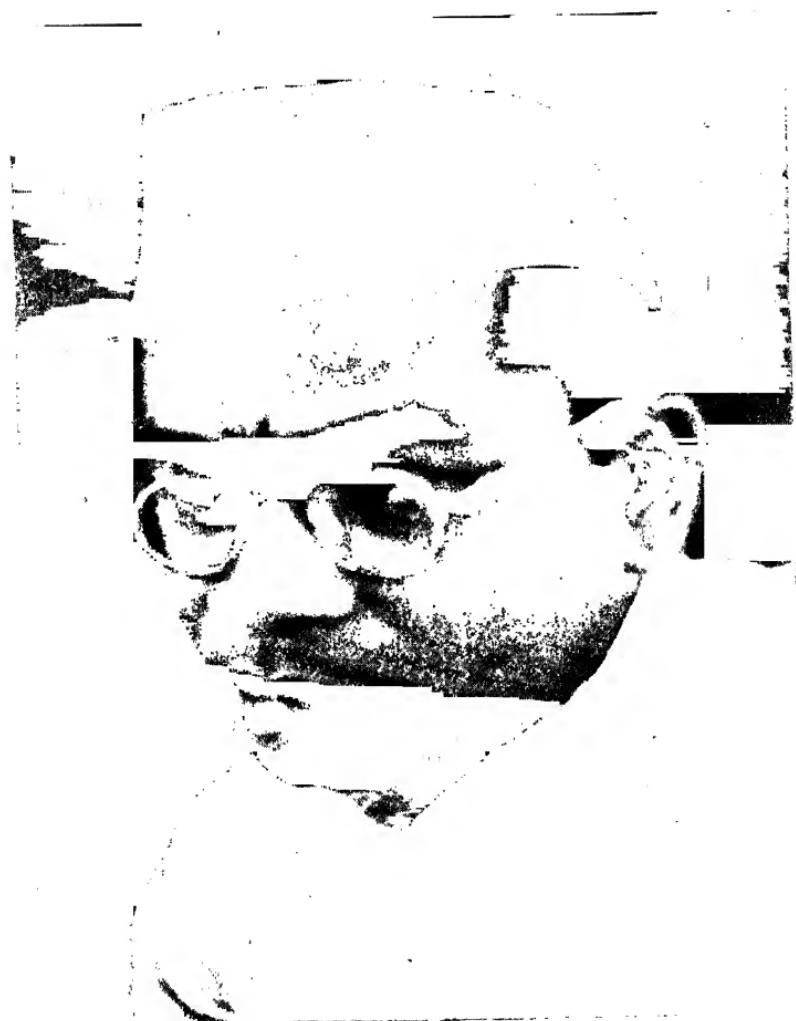
Dr. Ram Manohar Lohia, eminent Socialist leader, was one of the leaders of the August Revolution of 1942 and much sought after by the secret police. From his underground headquarters he directed a regular broadside against the alien Government through the illegal Congress Radio. When he was ultimately arrested he was tortured and treated with a harshness and brutality that created nationwide indignation. He was kept, among other places, in the Lahore Fort. His letter to Professor H. J. Laski, then Chairman of the British Labour Party, was smuggled out of prison and created a sensation in the nation's Press, where it was very prominently headlined.

Warmhearted Dr. Lohia, well known as the brain trust of the Indian Socialist Movement, took his Doctorate from Berlin University and was later Foreign Secretary of the All-India Congress Committee.

#### Dr. Lohia's Letter to Prof. Laski

“Dear Prof. Laski,

“As the newspapers of my country have not yet learnt to cut the question hour in your Parliament, I have to trouble you over something you would know nothing about. The Under-Secretary for State, India, Mr. Arthur Henderson, has said that I have made unfounded allega-



RAM MANOHAR LOHIA



tions in respect of my detention in the Lahore Fort.

“I doubt if the Under-Secretary knows what my accusation is. The amazing thing is the repose with which the British Government has asked my country to dismiss my accusation when, in practice, it has made some very awkward though successful attempts at suppressing its publication. Aside from odd bits, my country does not to this day know of what I have accused the Government.

“While still a prisoner in the Lahore Fort, but after I was allowed to write to the High Court, I made a *Habeas Corpus* application in December 1944, and supplemented it with somewhat fuller details in January 1945. When the hearing was held, the Judge ordered it to be secret. The Government had earlier taken an added precaution and banned, under one Ordinance or another, all reference in the newspapers to this *Habeas Corpus* case. At the hearing, the Judge declared his intention to go into the merits of my application and I was examined on oath, and they were on the way to enquiring into my accusation, when he accepted the Indian Government’s plea that I was under orders of transfer to another province and the proceedings were scotched.

“In the order dismissing my applications, the Judge also felt that the ‘sole motive’ of the India Government in detaining me was not to torture me. I regret I am unable to give you the exact wording of this strange order. I may add that I was arrested in Bombay in May 1944, and kept there for a month. If it was the Government’s intention to secure the King’s peace, that could have been very well achieved by continuing to hold me in the Bombay jail or taking me to another as now, in my home province, the United Provinces.

"In respect of prisoners ill-treated in the Lahore Fort, the Punjab Government has often amused the country by passing the responsibility on to the Government of India. The British Under-Secretary has now almost passed it back to the Punjab Government. So far as it concerns me, the Government of India is the culprit, for I have been its prisoner in law as in fact and recurrent orders for my ill-treatment emanated from it, and the Punjab Government is an associate in crime.

"No Government in your country could so interfere with Justice or shirk a criminal charge against it. On my transfer to this jail, I made an application to the Federal Court, but the Chief Justice of India felt that he had no jurisdiction of any sort. After several months' delay, I have succeeded in contacting my lawyer Mr. Madanlal Pittie, but I do not know how much longer it would be before he is supplied with copies of my applications to the Lahore High Court. These were seized from me on my transfer from Lahore to Agra."

### Torture in Lahore Fort

"I do not intend to detail to you my rather long experience in the Lahore Fort. Should your Parliamentary Party or any of its members be genuinely interested, they could easily obtain the two applications to the Lahore High Court and the third to the Federal Court as court documents. I must add that these applications are a definite understatement of what I had to go through. In the first place, I have avoided mention of vulgarities and, in the second, the short scope of a court application and inadequate talents would have made me sound dramatic, if I had tried to communicate the dull but ugly cruelty as I felt it. I had hoped that the hearing in the

court would bring it out more fully. I would here indicate that I was ill-treated in one way or another for over four months, that I was kept awake day after day, night after night, the longest single stretch running into ten days; and that, when I resisted the police in their efforts to make me stand, they wheeled me round on my manacled hands on the matted floor. It took me some time to learn as a physical feat, and a lesson I should like never to forget, that no pain is actually unbearable; it has either been unbearable in the past, but then the man is insensible or dead, or it appears to be unbearable as an imagined state of the next moment.

"It is true that I was not beaten nor were needles driven under toe-nails. I do not wish to make comparisons. A European, more than another, with his better sensibility to the human body and if he is not dulled with horrors, may realise what I underwent. But, beating and bastinadoing to death or near about it and forcing the human mouth to considerable atrocities—these and worse have also taken place. I will give you one or two instances, as readily come to my mind. One man swallowed poison in a police outpost of the Bombay Province, another threw himself down a well in a United Provinces jail; and of those who died through beating or ill-treatment after their arrest, there is no checking up except that in one Orissa jail out of over 300 in the country, the number of deaths among political prisoners rose to around 29 or 39—I cannot exactly recollect.

"My country has gone through a great deal in the past three and a half years. Men have been shot dead by the thousand, some out of moving vehicles as a test of marksmanship or to instil terror, women have been strung up on trees and lacerated or raped on the public

road, and houses razed in the Lidice or Becassi fashion, though not as intensive in a single area but in the total vaster by the score. This is not surprising. Once it is understood that the country was reconquered in terror and vengefulness, the fact that nothing more massive than the August Rebellion is known to modern history explains itself. Three to four million died in the created famine. Already there was beating of an another kind fifteen years ago. My father, who died in a bus two weeks back, was beaten unconscious in the wholly peaceful raid of the Dharsana Salt Depot. Aside from my regret that we had not enough time together, it is as well that he is freed from successive imprisonments and worse in his own country, and from the oppressive sense of a nation's suffering that goes with these."

### Orderly Rule Gone

"I have given you the national picture to fit into it my own experience as a very small bit. The British Labour Movement, as any other Socialist movement, has been erring, because it views foreign rule on the ground of democracy or fascism or other political forms at home. If pre-conceived notions are cast away, it is just possible that the British system of ruling my country may be found to be slightly worse than any other, or it may be slightly better. That would depend on one's understanding of facts. No one would deny that British rule in Hindustan has, as a young brute, been heinously atrocious. It is again becoming so, now that it is declining into an aging ogre. The middle period of secured and comparatively orderly rule is gone beyond recall. I do not know if it is at all possible to prevent or even to mitigate the ugly doings of this ogre. But this I know, that the British

Labour Movement will not even have made an attempt, if it theorises foreign rule on any other view than that of bloody youth and crueler decline, with the middle period, at any rate in my country, dead and gone.

"In face of all this, the Under-Secretary has had the brass to call me a liar. All Governments, as known to everybody, tell lies on the plane of high policy, but when a Government does so at the level of persons and minor things, it must be wholly mucked. Isn't there one man in the Parliamentary Labour Party who can bring this out? Should it be said that the doers of these atrocities are in large numbers my own countrymen in British employ? I do not deny that there is a great deal of rottenness in my country and that is what makes it so galling, but the Englishman thinks he would not be here unless he made use of it.

### Miss Usha Mehta's Case

"Not wanting to release me, the Under-Secretary has also said that the Government is considering the question of my prosecution. I am now under detention for over a year and a half, apart from my imprisonment of two years early in the war, and if the Government has not yet completed considering this question, it may as well go on doing so indefinitely. There is a young woman in a Bombay jail, Miss Usha Mehta, perhaps the only woman political in the jails of that province, who is doing a term of four years for running a freedom radio. I am not quarrelling with her sentence, although, had this young woman of rare attainment and rare courage been Spanish or Russian, your countrymen would have glamourised her into a heroine. She was held under detention for a year and for several months more as an under-

trial, so that, if this judicial lapse had not taken place, she might have well completed her term and be out now. I might add that her trial and that of her colleagues was banned from the newspapers.

“Of the eight to ten thousand political prisoners, a large number of whom are classified as ordinary criminals, almost the entire lot are held in prison, aside from the inherent inequity of their sentence or detention owing to one lapse or another even under the existing law. A few days back, ten persons serving life terms were released, because the Allahabad High Court found they had been convicted on the evidence of an “unmitigated liar.”

### **Jayaprakash Narayan**

“Mr. Jayaprakash Narayan, General Secretary of the Socialist Party, is now under detention for over two years, apart from his earlier conviction and detention of nearly three years, and the India Government, on its own declaration, has been considering the question of his prosecution ever since his arrest. It will presumably go on considering the question, meanwhile holding him in prison. I do not know what kind of an answer Mr. Leopold Amery would have returned, had he been asked about my detention and presuming that he had still wanted to hold me in prison. I like to think that he would have taken his stand on the usurper’s unhedged power and would have just said that I was detained under the laws of the land, whatever they might be. That would have been better than a Labour Under-Secretary’s screening of a bad deed.

“The Government is afraid of placing us on trial and it will continue to be so affrighted. Our trial may end

up in its own trial. Except for the Indo-Russians, no one can possibly think that we have worked for Axis victory in intention or even in the unintended results of our deeds. In fact, Mr. Jayaprakash Narayan had wanted that an appeal be sent from the Freedom Press of this country to the British Socialist Movement, but I felt that there was not at that time a worthy enough head of the Movement nor any actively favourable elements to whom such an appeal could be sent.

### A Vague Charge

“Then the charge is levelled against us that we have tried to achieve our aim through violence. It is a vague charge and as such has no validity in law nor a place in any coherent political discussion. The drawing of the line between violence and non-violence as a method of political endeavour is an essentially Indian beginning and is wholly distinct from the accepted opposition between constitutional and unconstitutional means. It must, therefore, await recognition, until, if at all, the Indian National Congress is able to create a State with its politics. Such an event will also radically alter the concept of Government and its obligations. Meanwhile, it does not lie in the mouth of the British Government or of any other, to throw about this charge, for the right to violence is, in the dominated world, linked up with some of the finest efforts of man. If I were to follow the British Prime Minister, Mr. Clement Attlee, or the Archbishop of Canterbury, I would have to call it the sacred right to violence. For the rest, the Indian Penal Code is drastic enough, more drastic than any now prevalent. There is ghastly provision in it against the political kind of killing, or the very vaguest association with

it, or sedition, or the mere owning of arms. I have not been put up for trial on any of these counts, nor the many hundreds, who have been detained almost throughout the war and are still in prison several months after the last fascist was let out in your own country. In lending the smallest countenance to Government's plea that everybody still in prison is a Socialist and advocate of violence, the British Socialist is deliberately enabling the British Fascist in this country to work out his lawless ire against the Indian Socialist.

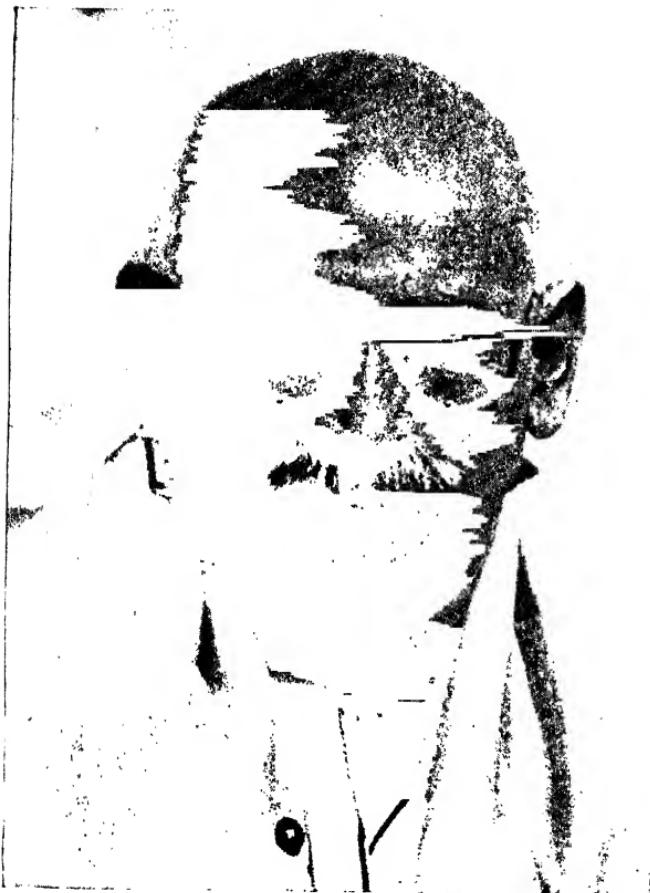
"If Mr. Stehpen Davies, a member of your Parliamentary Party, thought it worthwhile to question the Under-Secretary about me he should also have acquired necessary information to bring out through supplementaries how inept and unworthy the answer was. Questions asked in a hurry and in pursuit of an unpleasing duty or to create illusion are worse than no questions at all. For the present, at any rate, I have little desire for release and there is no urgency of any sort whatever. The British Government is welcome to hold me in prison as long as it lasts in this country. But the fact remains that there was not one man in your Parliamentary Party who could tell the Under-Secretary with facts that he was lying, that he has not so far, nor shall, put me up for trial, that he did his habitual screening to make my detention more palatable to the stupid.

"All writing from a slave country to the ruler's land is largely ineffectual, and wearies, but I hope you have not asked yourself why I have not addressed this letter to your Parliamentary Party.

"Please accept my warm greetings.

"Yours sincerely,  
"Ram Manohar Lohia.





**PATTABHI SITARAMAYYA**

## CHAPTER XVII

### PATTABHI SITARAMAYYA

"A jail diary is always a novelty to the diarist. One should think, however, that the charms of novelty would have worn off with the first bout of one's imprisonment. But when there is a series of these, interest grows with new experience, for it is not beset with the same dull monotony as might be expected. My first sentence was simple and straight under Section 108, the Security Section, as it was called in those days (1930). Salt was the offending factor, picketing was the offence. A year's term was the result. Division 'A' after a month, made life smooth and unchanged. Bodily ailments and ill-health take a hind place in a description which is meant to be largely impersonal in spite of the use of the 1st person singular pronoun. The second, in 1932, was only a call to each of the old prisoners to be 'as you were.' There was, however, no concoction in my case. It was equally straight and simple as the first, but this time under the Criminal Law Amendment Act. A breach of Section 144 provided the necessary ground for a long sentence and a heavy fine. A sentence of two years' R.I. with a fine of Rs. 1,100 was amusing when it was pronounced, and 'C' class completed the joke. That was a new experience —the dress and the diet which made me a patient in six days, and a clown at that, with the cap on. But the comedy soon became a tragedy. Writhing with pain, bedridden, unable to sit or stand—a perpetual sense of

impending dissolution was only averted by a change of classification. Back to Vellore, to the spacious halls, to the genial Superintendent and his astute assistant, back to studies, serious and light, and two years seemed but a jiffy, while Rs. 1,100 collected after filling four lorries with home contents including those containing prepared food—prepared but unconsumed as yet—and the sealing of a Bank safe located in the home, led to an aggregate penalty, along with a subsequent fine of Rs. 500, of over Rs. 2,000, when repaid. Six weeks after release, the third bout came in on 30th October, 1933, by voluntary courting as in all the three cases. Picketing at a foreign cloth-shop gave me six months' rest and took away Rs. 500 (*vide supra*). But this time a prompt classification and a direct passage to Vellore without the interim halt at that hell on earth,—the Rajahmundry Central Jail, made life not merely uneventful but pleasant. The same old halls and the same officers doubtless, but they were stern and stiff this time and reserved and even bitter. That only indicated Government's instructions to be sure. Lo, and behold! on return from jail, there was the withdrawal of C. D.—even individual —hinted at on April 6th (1934) by Gandhiji in private communications and carried out at Patna in May that year.

“Nearly a decade passed before I sighted once again my second home in Vellore. The Second Great World War broke out on 3rd September, 1939, and in October, 1940, began the Civil Disobedience campaign after over a year from the outbreak of the War. But I was not to go immediately. That was the definite order of the Generalissimo. The Travancore affair detained me and Gandhiji wrote four letters warning me against viola-

tion of his instructions. Government, however, would not be bound by Gandhiji's order to me, and on the 19th March, 1941, I was taken back to my dear old Vellore Central Jail, this time as a detenu. No trial, no classification, no fine, no term of sentence. It was all fair play except for the 3rd class travel, which albeit was made as comfortable as possible. I found myself at Vellore in strange company—Communists all—who carved out a commune behind the walls of the old Women's Ward and appointed their Commissars. Only we, *Satyagrahis*, had to remain there by 'sufferance,' as they thought. They swore, it seems, before I joined them that I dare not enter their *sanctum sanctorum*. But I did. Nothing was so repelling, nothing so irritating, nothing so provoking, as this new 'company.' Intolerable conduct, unspeakable abuse of Gandhiji and unmentionable acts on their own part would be no exaggeration. One fine morning the Governor of Madras announced in the Press that he didn't want some of us in the jail and so on 1st November, 1941, we (six of us) were got rid of. A whole chapter of Indian history intervened between the release and the re-arrest. Withdrawal of C. D., the Cripps episode, declaration of mass C. D. in Bombay (7th and 8th August 1942) found me and the rest of the members of the Working Committee in a special train at Bori Bunder (V.T.), on the morning of the 9th August, which drove straight to Ahmednagar—a destination which we could broadly guess when we left behind Gandhiji and Mahadev with Sarojini and Mira Ben and about thirty other Bombay friends at Poona.

"The news of Mahadev's death cast a gloom over us in the Ahmednagar Fort. I was moved to tears myself and

Vallabhbhai was deeply shaken. He fasted for the night as he could not touch food. We then began to recount Mahadev's past. He had qualified for the bar and Vallabhbhai remembers him and Narhari Parikh attending courts and watching while he himself was practising—i.e., in 1914. That year Gandhiji returned to India and it was Gokhale's desire that he should succeed him as the 1st member of the Servants of India Society. This was a well-known fact and Gandhiji was observing perfect silence for a year under Gokhale's advice, watching things and studying problems. And Mahadev, Narhari Parikh, Kishorelal Mashruwala, Kaka Kalelkar—all these wanted to join the Servants of India Society—indeed moved over, body and spirit, with Gandhiji from Ahmedabad to Poona. Swami Anand was another young man who had joined Gandhiji on his return. But as fate would have it, the proposition that Gandhiji should be elected Gokhale's successor was on the latter's demise (19-2-1915) accepted only by a majority, not unanimously, Devadhar opposing. Gandhiji, naturally, wisely and correctly declined the honour with thanks. From that day, a new centre came into being, a new circumference with these five friends, a new stellar constellation began to appear on the Indian political horizon.

"With Mahadev's death all the material for perhaps twenty volumes relating to modern Indian history would perish. His notes may be there but where is the man who sat with Gandhiji in all the interviews with the world's great public characters from King George down to Edward Thompson and Louis Fischer, the American correspondent? For every word that Mahadev jotted down he had a whole chapter of history embedded on

the tablet of his memory. Will some unknown spirit rise from the embers of his solitary cemetery and guide some living hand to decipher, cull and clip, collect and collate the random thoughts and the stray words of the departed hero into a connected era of history, biography, philosophy, economics and ethics?"

## CHAPTER XVIII

### MRS. VIJAYA LAKSHMI PANDIT

Mrs. Vijaya Lakshmi Pandit, like her illustrious father and brother, has been in prison in the cause of India's struggle for freedom. In 1937 when the Congress accepted Ministerial Office, she was the first Indian woman to become a Minister in her home province.

The contrast between the once palatial home of the Nehrus and the inside of a prison—Naini Central Jail—is well brought out in the following extracts from her *Prison Days* (Signet Press, Calcutta).

#### Prison Days

**12th August 1942**

I woke up with a start and switched on the light. Binda was standing at the foot of my bed. He told me the police had arrived and wished to see me. It was 2 a.m. My mind was a confused jumble of the events of the preceding twenty-four hours. The shots fired on the students' procession were still ringing in my ears and before my eyes I could only see the faces of those young men whom I had helped to pick up and remove to hospital. I was utterly weary in mind and body and more than a little dazed.

The girls were asleep on the veranda and I did not wish to disturb them. Both Lekha and Tara had gone



Mrs. VIJAYA LAKSHMI PANDIT



to bed exhausted after what they had been through the day before. They had seen sights which would not easily be effaced from their memory and were bewildered and unhappy.

I went out to the porch. The City Magistrate, the Deputy Superintendent of Police, and half a dozen armed policemen were standing waiting for me in the darkness. I switched on the light and was amazed to find the grounds full of plain-clothes men some of whom had actually come up on to the veranda. This annoyed me and very curtly I ordered them off into the garden before speaking to the City Magistrate. He was ill at ease and said he had a warrant for my arrest. "Why is it necessary for so many armed men to come to arrest one unarmed woman at this amazing hour?" I asked. A search was also to take place, I was informed. I told them to go ahead with the search while I got ready for prison.

I had not expected to be arrested and was taken by surprise. There was no one with the girls, no possibility of making satisfactory arrangements. Indira had arrived from Bombay a few hours earlier. She was tired, so I ran upstairs to say good-bye to her.

Three or more police lorries were lined up on the road outside. In the darkness I could not make out the exact number. More armed men appeared out of the shadows. I was asked to get into the first lorry. The D. S. P. took the wheel. The City Magistrate and some others got in behind and we started.

The city had been in the hands of the military for several hours—Martial law in everything but name and a curfew order in force. We drove in an atmosphere of extreme tension. As we travelled along the familiar

road to Naini my mind was full of many thoughts, and before my eyes, like some film in a cinema, were pictures of other journeys—dozens of them from 1921 onwards. We reached the Jumna Bridge, heavily guarded, and were challenged by the sentries on duty . . . .

I was conducted to the old familiar barrack. It was 3-45 a.m. I spread my bedding on the ground, was locked in, and a new term of prison-life began.

### 16th August 1942

The first thing I learnt this morning was that there had been firing in the city twice yesterday. The information is not from a source I consider reliable, but nevertheless it had disturbed me. It is terrible to be shut up here when others are exposed to daily dangers . . . .

There has been a hard shower of rain today and it is cooler at last. The sky is dark with clouds, so there will be more rain tonight. The barrack is leaking so badly that there is no spot where my bed can entirely escape. I have chosen a place where my head is safe but where my feet will get a bath! The insects have increased and it is almost impossible to keep the light on—but I do not intend to be beaten so easily. It is only 7-30 p.m. and I cannot possibly go to bed yet—so I shall seek forgetfulness in my book and read Heloise's beautiful letters to Abelard . . . .

### 18th August 1942

Today is my birthday and the children sent me a parcel of books but the pleasure of the gift was short-lived. The Superintendent told me that a new set of regulations had been received and would apply to us.

We are to be called "two" prisoners and shall be placed in the second class. We shall not be permitted newspapers, letters or interviews or any articles from home. Jail clothes will be provided, lock-up will take place. Our allowance will be reduced from 12 annas to 9 per day....

The sad news that Mahadev Desai had died of heart failure in jail on the 15th has come as a great shock and has deeply hurt me. My mind is full of pictures of him. He was a fine person; one of God's good men. We are the poorer for his loss. I wonder where poor Durga and the boy are. Now that Bapu is in prison they have no home. I wish I could send a word of comfort to Durga. Ever since I heard of Mahadev's death I have been terribly upset. Last night I lay awake and so many incidents connected with him passed through my mind. It seems only the other day that he came to me in Anand Bhavan and asked me to read an article in the *Modern Review* written by a "dear friend" of his—a young man whom he described as "most brilliant and very lovable." The year was 1920, the article was entitled "At the feet of the Guru" and the name of the author was Ranjit Pandit. For 22 years now I have been the wife of this "most brilliant and very lovable" man. Ranjit and Mahadev were at college together and graduated in the same year. Although they seldom corresponded, there was a deep bond of sympathy and affection between them. The news of Mahadev's passing will hurt Ranjit.

**24th August 1942**

Prison also has its humours. "Do you know", said the matron to me yesterday, "when I unlock your bar-

rack each morning I try not to disturb you because I know you do not sleep well at night. But I was thinking I should by rights call out to you because, if you were to die in the night, how should I know?" . . . She is, I suppose, what one would call a "Job's comforter." Happy thought that I should die in the night, yet I expect there are worse deaths! . . .

Later on there was more excitement and who should come in but Purnima! I was glad to see her and we talked far into the night. Afterwards I lay awake until the early hours. The yard was flooded with moonlight and looked almost beautiful. But even beauty makes one restless in prison.

### **26th August 1942**

Purnima has brought a calendar with her. At first I was glad to see it but now I find that it has a disturbing effect on the mind. What is the use of a calendar unless one has something to look forward to, some day standing out from amongst the rest? For us it is better not to see dates and count days.

### **6th September 1942**

Sometime ago I asked if I could be given coffee instead of tea in my ration. I was informed that there was no mention of coffee in the jail manual, only tea was mentioned. Government sanction was necessary for this and the Superintendent said he would find out if it could be obtained. After three weeks I was told that I could buy a tin of coffee provided I gave up my tea ration. I ordered half a pound and was charged 1-4 by the jail contractor for what costs 14 annas in the market. The daily allowance is 9 annas, so I had to pay

two days' allowance plus 2 annas more—and as this amount of coffee will only last me a fortnight I shall have to go without rations for two days every fortnight. My health will no doubt improve by a few fasts. In any case, I prefer the coffee to the food, so actually I stand to gain. It is only the absurdity of the jail methods which proves so annoying at times.

### 7th Setember 1942

This evening, the matron was walking with me in the yard before lock-up and described the heroism of a young Russian girl who was one of a guerilla band. She was impressed with the way in which she cut telegraph wires and tampered with railway lines and burnt several wayside stations, etc. At the end of the story I could not resist saying, very quietly. "Those are some of the charges against Janki; only, in the language of the foreign Government in this country, it is called arson and treason, not heroism. We get a seven-year sentence for it even when sufficient proof is not available." Naturally the conversation died after this.

### 20th September 1942

This morning quite suddenly the Superintendent said he had no authority to give me coffee. Rules were quoted, the idea being that although rules did not permit, they were trying to accommodate me. I lost my temper completely and said I wanted no favours. The coffee could go back. I am sorry to say I threw the tin on the ground at the Superintendent's feet! Later I was informed that I could buy coffee instead of tea and there would be no difficulty.

## CHAPTER XIX

### J. C. KUMARAPPA

“At the very outset, I have to explain that I am not a politician in any sense of the term. My one and only interest in public life has been to see social justice meted out to the helpless. If, frequently, Government had found it necessary to incarcerate me, it had always been for my placing before the public the misdeeds of those entrusted with the welfare of the dumb millions and never for any overt act of civil disobedience on my part from any political motives. I have always deemed it my duty as a citizen to point out malpractices resulting in the suffering of the people. Naturally, a Government conceived in avarice from the early days of the East India Company, fattened on the loot of its many agents and servants, and clothed in falsehood, hates to have its nefarious activities exposed to the limelight of public opinion.

“I began to take interest in public life towards the latter end of 1929 and about the middle of 1930. I found myself in charge of *Young India* after Gandhiji’s incarceration. Through its columns, I had to ventilate the grievances of the public, on which the enraged Government, run amuck, was wreaking its vengeance by all manner of cruelties and tortures. It was not long before I was served with a notice to be of ‘good behaviour’ and ordered to enter into a bond to that end. The resulting pro-

secution ended with a sentence of one year's imprisonment. Since then willy-nilly I have been a constant patron of His Majesty's guest-houses. The last conviction was for two years' rigorous imprisonment for an article in the *Gram Udyoga Patrika*, the official organ of the All-India Village Industries Association, entitled "Stones for Bread", exposing the inflationary activities of the Reserve Bank and warning the public in 1942 of an approaching famine because of the Government sending food stuffs out of the country.

"Within the short period of about 15 years of public life, I have spent over a year as a detenu and have been sentenced to over 6½ years of hard labour. Similarly, with many of us over 50 per cent of our public life is spent behind bars and therefore this aspect of existence demands a larger share of attention than is usually given to it. Hence I welcomed the idea of a symposium on this subject. I am penning these lines not with the intent of attacking the jail department but to see how we can contribute towards its reconstruction. I have been in jails at Ahmedabad, Sabarmati, Nasik, Bombay, Wardha, Nagpur and Jubbulpore, under varying conditions of existence.

### The Initiation

"My first case was to show cause why I should not be required to enter into a bond for a year to be of good behaviour. The trying Magistrate was personally a good national-minded man, but he was part of a huge soulless machine. When I made my statement to the Court he sat with his head down supported on his hand.

People in the Court remarked that he looked the accused in the Court and I the presiding Judge pronouncing judgment. The Court room was packed to capacity and the case was over by 3 p.m. The jail van was expected at 5-30 p.m. at the rising of the Court. Usually the convicts are sent off to the judicial lock-ups. But my Magistrate was too humane for that. He sent me into his own chambers and asked me to rest. In the meanwhile, he had ordered tea for me. He had reckoned without his host. There were a large number of persons to see me off. They also crowded into the Magistrate's chambers. The Magistrate rose to the occasion and sent out for light refreshments and tea for all. Then with the arrival of the jail van, garlands, kumkum boxes, etc., with the accompanying ceremonies, were in evidence; and I was hurried away to another stage and another scene where persons do not count excepting as animals. My first cell was one just vacated by Sardar Vallabh-bhai Patel, who had kindly left his deck chair for me. I was initiated into jail life by Sjt. Devdas Gandhi who was my neighbour in the barrack.

“But all Magistrates are not capable of rising to the occasion. Some retain a modicum of the humane nature they were born with but alas! most get hardened into unfeeling machines in course of time.

“Jail life is not a uniform existence. There are all stages of inhumanities. The only features that are common are the deprivation of freedom and the atmosphere of suspicion which are nerve-racking.

“I have been lodged in private bungalows converted into prisons by having their windows and doors strengthened and barred and their compound walls barb-wired. As these were overflow camps the accommoda-

tion was anything but adequate. I was in a room about 25 by 10; sharing it with about 20 others. We had hardly enough room to lie down in a row. We were taken out in the morning for about 20 minutes to answer calls of nature, have our bath and exercise. I have been in lock-ups and cells barely 20 feet square where about two dozen people are lodged from morning till evening without any facilities for lying down or sitting, with a common urinal in a corner of the room. The smell can hardly be even imagined.

"I have been kept in single-cell barracks with adequate exercising grounds but without a green blade of grass to be seen.

"Some jails were well built with stone floors, flush latrines and chlorinated water supply, with single individual cells with electric lights.

"I spent nearly a year with a whole barrack of six cells to myself. This was meant for Europeans and so was well equipped with bathroom, lavatories, tables, chairs, iron beds and even electric fans in summer, and a large flower garden. Yet jail is a jail. It is not the creature comforts that matter. It is the deprivation of the freedom that crushes the human being.

"All my sentences have been rigorous. Hence, I have had to work on tape-making, flour-grinding, cleaning vegetables, rope-making, spinning, etc. The work itself may not be hard enough to break one, but the fact of having to work under the supervision of warders and having to account to others for the day's work is in itself a humiliating experience which needs to be gone through personally to understand its reactions on one.

"A few religious books are allowed and one or two antiquated reading books. Here again my experience

has been varied. In one jail, the cell next to mine was a veritable modern book-store containing the very latest publications. Yet in other places I was left with my Bible and such other hoary and respectable publications. Newspapers with a conservative outlook, such as *The Times*, the *Statesman*, the *Hindu*, etc. which were innocuous, were freely allowed to be shared by a group but no really progressive journal which was of a critical nature was countenanced. In one jail, even my own publications were not allowed to me lest I should seduce myself!

"In the larger jails, some recreations were provided for but the equipment was as a rule below par.

"In the improvised jails I have had snakes and scorpions as bedfellows coming in to share the warmth of my bed. We had to sleep on the floor and there was hardly any plinth ; so serpents and frogs got in to share our humble lives. On the last occasion I reared three kittens—black, grey and white—to enliven my spare moments.

"Again, as in all other departments of jail life, I have had a variety in my jail companions—erudite scholars, versatile talkers, voracious readers, and laborious idlers, idealists, criminals, financial crooks, sadists and anti-social creatures, rich men, Robin Hoods and paupers, Europeans, Chinese and Negroes. In fact, one comes in contact in a jail with all sorts and conditions of men. At one end I have been for months together with men like Sjt. Bhulabhai Desai, Mangaldas Pakwasa and Shoorji Vallabhdas and, at the other end, with life convicts and murderers. All this heterogeneous company serves to make up for the lack of contacts outside. In our humdrum life, the routine of our day hardly brings

us into such a kaleidoscopic variety of humanity. This helps us to understand the multifarious facts of life this world presents. But for the fortuitous circumstances that launch us periodically into jails many of us would go through life with just a narrow outlook regarding the lives our fellow-beings lead. Adversity brings us close together and we begin to see in people we would ordinarily keep away from, some traces of goodness we would not credit them with. Some of the criminals, hardened by circumstances into their anti-social activities, were veritable geniuses gone astray. The calibre of a few leaders of gangs of dacoits I met made me think that if they had been properly handled in earlier life they would have been our national leaders. They possessed an amount of magnetism that many a so-called political leader might well envy. Their clear thinking and basic understanding of men and matters would put to shame many a university professor. Such are the great qualities that have made them leaders, though in the underground world. What a loss to humanity! Can these derelicts not be salvaged?

## CHAPTER XX

### SARDAR SARDUL SINGH CAVEESHER

#### **Seven Months of Persecution and Torture**

“I was arrested on the 19th March 1942 . . . and was kept in the Lahore Fort for about seven months.

“During all these seven months I was never told what was the charge against me or what offence I had committed. In fact, the Police officers in charge frankly told me that I had committed no offence and that I was arrested only to secure information about Babu Subhas Chandra Bose’s disappearance; about the Forward Bloc Organisation and its policy and programme; and its relation with other revolutionary parties. They specially enquired from me about Forward Bloc relations with the Terrorist Party in Bengal and with Indian princes like the Maharajas of Patiala and Kashmir, the Jam Saheb of Nawanagar, the Nizam of Hyderabad and the Nawabs of Bhopal and Rampur.

“The Indian Police officers in the Fort interrogated me about the points mentioned above in an extremely objectionable manner for about five months. They abused and ill-treated me and often told me that owing to the War and to Subhas Babu having gone over to the Axis, there was the probability that if I did not give them the required information, I might be handed over to the Military authorities who might shoot me down without trial. They told me how some of the other de-tenus had been tortured in the Fort and that the treat-

ment meted out to me was only a forerunner of the worst to come.

"I was first kept in a room which had only iron bars but no wall on the west side. Consequently there was no protection in it from the sun in the afternoon. I had to pass a quarter of the day burning in the months of May and June. I was kept thus in the sun in the hottest months of the year in the Punjab where the temperature sometimes rose to about 118 degrees even in the shade. I was not allowed to go to the regular lavatory for calls of nature. A broken commode was put in my room which was sometimes not cleaned for a week, making my cell stink atrociously. When this form of torture, keeping me in the hot sun and in a stinking cell and verbal threats and abuse could not get from me the information they wanted, near about the middle of August, 1942, Mr. Wace, Deputy Inspector-General of Police, saw me personally and told me that I must give the information about Subhas Bose's programme and his relations with the Bengal terrorists and the Indian princes or otherwise he would not, owing to the War, hesitate to adopt necessary third degree methods, to compel me to give the information the Government wanted. He further told me that if within three days I did not give the required information, he could create for me in the Fort conditions of a Concentration Camp. After three days, I was, against rules for the Security Prisoners in the Punjab, disallowed to supplement my food at my own expense and all newspapers were stopped; my books were taken away from me; the electric fan, which was allowed under the rules, was removed; morning and evening walks outside the cell and fortnightly interviews with my children, allowed under the rules, were stopped. The

commode was cleaned only twice in all these fifteen days, making the cell smell like a sewer.

"I requested that I might be allowed to represent my case to the High Court, to the Viceroy and to the Governor of the Punjab. This was also disallowed. Nor was I allowed to write to my people or my legal adviser about it, nor to see them. I protested against this illegal treatment and high-handedness but with no result.

"I had been shifted to another cell. For fifteen days I was shut up day and night in the extreme summer heat in this new cell which was closed on all sides except one, where there was a small door and a ventilator nine inches square. The door was kept closed and all the air I could get was through that nine inches square hole. Want of free air and the uncleaned commode turned the cell into a veritable hell. I was not allowed any of the facilities about food, exercise, papers and books, etc., which are allowed to the Security Prisoners under ordinary rules in the Punjab. Even the electric connection was cut off. The result was that, during these days, I developed sore throat, piles, hepatitis and some brain and heart trouble and lost heavily in weight. My condition was so bad that even some of the policemen on duty could not tolerate it and privately informed my people about it. Maulana Zafar Ali, M.L.A., and Sardar Sant Singh, M.L.A., were approached by my people. They raised questions in the Central Assembly. The Home Member stated in reply that the action was taken against me owing to my "unsatisfactory demeanour." When questioned whether "unsatisfactory demeanour" meant my refusal to reply to Police questions, he did not deny the suggestion.

"After about a fortnight of this treatment, perhaps as

a result of the questions in the Assembly, I was allowed to come out of the cell in the morning and evening as before. First, only one book was allowed and then three at a time. I was again allowed the *Civil and Military Gazette*, though sometimes more than half of its contents were deleted. But neither the supplementing of food at my own expense nor the use of electric light or fan was allowed again. Interviews with children remained also stopped. All this was against the rules for the Security Prisoners in the Punjab.

"I was taken to the Campbellpur Jail on the 11th of October, 1942. Before I was arrested I was about 182 lb. in weight. When weighed in Campbellpur Jail after the above treatment in the Lahore Fort I was found reduced to 143 lb.—a drop of above 40 lb. in two months.

As a result of some agitation in the Press about the treatment meted out to me in the Lahore Fort and on account of the questions put about it in the Punjab and Central Legislatures, I was taken out of the C.I.D. custody and transferred in October, 1942, as stated above, to the Campbellpur jail. From there I made a representation to the Governor-General in Council, the Home Member to the Government of India, and some other high officials stating how I was detained illegally and treated by the C.I.D. officers named above, and asked permission to see my lawyers so that I might give instructions to them to file a suit in a Court of law against Mr. Wace and his assistants for illegal detention, persecution and torture in the Lahore Fort.

On the 20th of March, 1943, when the District Magistrate of Campbellpur visited the Jail, I brought to his notice how I was treated in the Lahore Fort and how the Campbellpur District Police under instructions were

illegally interfering with my correspondence and interviews. I gave him all this briefly in writing and requested him to take suitable judicial action in the matter. He assured me that he would deal with my application under the law. A day or two later, I wrote a letter to my lawyer asking him to pursue the above application in the District Magistrate's Court. As under the rules this letter was to pass through the local C.I.D., not only did they illegally and misusing their official position, withhold it but I was all of a sudden transferred at the instance of the C.I.D. from Campbellpur to Dharamsala in order to take me out of the jurisdiction of the Campbellpur District Magistrate and prevent me from pursuing my application further with that officer.

"I remained in Dharamsala from March 1943 to March 1946. My persecution and illegal treatment at the hands of the police, under direction of Mr. Wace, Deputy Inspector-General, C.I.D., continued even there. My business letters, even those for which sanction had been obtained from the Government of India, were withheld; letters to my lawyers through whom I wanted to bring the case before the courts were not allowed. I was not allowed to see my lawyers whom even the High Court had allowed to see me, and my children and servants who came to see me or bring articles for my use were harassed.

\* \* \* \*

"I have been suffering from chronic rheumatic troubles. Dharamsala has the heaviest rainfall in Northern India and is quite unsuitable for men of my health. Two District Magistrates, the Jail Visitors and the Jail Medical Officers, wrote again and again for my transfer to some other jail. But under Police directions,

Government did not remove me elsewhere and I was left to suffer in a place unsuitable to my health.

“Later, attempts were made by the D. I. G., and the Superintendent of Police, Dharamsala, to involve me in a criminal case alleging that I had held an unauthorised interview with a friend of mine; but this attempt was frustrated by the Jail Superintendent and the District Magistrate, who on enquiry found the allegations to be utterly false. The Police Superintendent even threatened the Jail officers with dire consequences for not complying with his wishes, but before he could do anything, owing to my new *Habeas Corpus* petition to the High Court, I was ordered to be released.

“I may also mention that my Secretary and my Personal Assistant both of whom had absolutely nothing to do with any kind of politics and who were only looking after my personal and business affairs and my property, were also detained under the Defence of India Rules, one for two months and the other for three years, simply to harass me and put my people to trouble. They were never tried or given any chance of defence.

“After my release, I have publicly charged the Government officials concerned in my persecution about the criminal treatment meted out to me in the Lahore Fort and afterwards and challenged the Government to prosecute me for these allegations if they were considered to be untrue. I have also offered to pay all Government expenses in this connection, but the only reply I have received so far is the irresponsible denial by the Home Member, Government of India, of these allegations without any impartial enquiry and without affording me any opportunity to prove my allegations with necessary evidence.”

## CHAPTER XXI

### ASOKA MEHTA

Three years is a long period and when one is confined in a small yard for that time, it evokes an intensity of experience. Its memories come up, not as a flowing stream, but as a picture gallery, and sometimes as an integrated vision like a painting reproduced by the superimposition of various coloured paintings.

Prison, it has been said, is a school of patience. In rare cases it is much more—it hastens maturity of mind and spirit. In a memorable speech that Aurobindo Ghose delivered immediately after his release from jail there occurs a remarkable passage: “over and over he heard a Voice telling him: ‘The bonds you had not the strength to break I have broken for you . . . I have brought you here to teach you what you could not learn for yourself.’” This realisation is the highest achievement that a prison offers to a true and chosen spirit—it becomes not a hated place of detention but an abode of *sadhana*. This is the yardstick by which one should measure one’s prison experience.

#### Three Years Behind Bars

“I was arrested in the early morning of the 9th August, 1942, and was taken on the famous train that carried Gandhiji and the Congress leaders to their then unknown destinations, and was detained in the Yeravada Central



ASOKA MEHTA



Prison. It is an old prison, and our yard was small. We were informed that we were permitted neither letters, nor interviews nor newspapers. We were isolated, hermetically sealed off from the living, throbbing world outside. Floods of prisoners came pouring in from the next day; we heard their ecstatic shouts but no new prisoner was brought to our yard for many a week. We caught only a few glimpses of the mighty upsurge outside usually through hurried accounts in crumpled notes! We called the special train that had brought us "Victory Train" and assured one another that in a hundred days we would emerge victorious!

"The jail grew crowded. There were lathi charges and brutal assaults on our fellow-prisoners in other yards. We writhed in pain and cursed our impotence. We were ashamed of our 'comfortable' cells. Every day fresh streams of young workers came but none was diverted to our yard. That isolation was the hardest to bear.

"Of the fifteen persons in our little yard nearly half a dozen had spent over a year in the same place only a few months before. They returned to their old cells with the feeling of coming back home! Big events were happening; the War too was reaching its climax, there was so much to talk and discuss about. But, strangely, prison brings a mood of detachment too. Each one of us was gripped by the epic events happening outside but each one of us showed a mode of withdrawal and detachment, varying from abstruse philosophy to delectable detective stories. Slowly the prisoners settled down to work and one saw an interesting pattern of life emerge. In our group of fifteen there were five Muslims, and one sensed all around an instinctive urge to understand each other's culture and thought. The vitalism of my co-

prisoners sought to turn our yard into a *sangam* where the two streams of our culture would meet and mingle. It was a heart-warming experience. Throughout my three years' stay, I saw the same earnest desire to fuse the varied cultural strains of India into a rich and abiding harmony.

"Weeks passed and at last new prisoners were brought to our yard. From them we learned of the heroic reality behind the cryptic accounts of the censored Press. Thrilling details of open rebellion, of escapes, of superb organisation, rare initiative, leonine courage, we heard from the men who had the good fortune to witness the great uprising. Each one of us, in those days, lived in the present, so intense was its impact; past differences were forgotten, no apprehensions clouded the vision of the future. The Congress seemed to be one solid, undifferentiated phalanx.

"But as the tide of the uprising began to recede, old differences emerged like ugly rocks jutting out of ebbing waters. The phalanx broke up into separate camps. Was the revolution in vain—were the sufferings and sacrifices to go down the drains? From the mighty crucible were men's minds to emerge unchanged? It appeared so for a while. But as weeks grew into months and months rolled up into years, one felt that where minds had failed to harmonise, hearts had come together. In spite of ideological differences a sturdy spirit of friendliness was growing up. While policies divided, a sense of humanity, a common vision of nationalism, united.

"At last there came to us the young men—the authentic products of the great Revolution—over whom stretched the shadow of the gallows. These shy young men had played with death. They had shown of what stuff our

resistance movement was made. They knew no fear, no remorse. There was about them an engaging frankness, openness, innocence. They thought so little of their heroic acts—acts that shall some day be woven in our legends and songs—and deemed our humdrum experience so high that they were ever anxious to learn. Who were these young men? They were clean and sturdy—magnificent representatives of our manhood. But their minds had been cramped by the faulty education they had received. Their instinctive grasp was unerring but their intellect could not command the facts needed to sustain the instinctive urges in terms of reason. They felt their minds were like caged birds and their wings were filled with the desire for the sky. Wrongly some of the older men offered them set ideas and moth-eaten dogmas. The old controversies seemed arid and unreal to the children of the Revolution. They had seen life in its raw, naked form—they had seen Man both as Rudra and Shiva. They cared not for set statements, untouched by the throbbing current of real life. They hungered to unfold their wings and soar in the sky. Their bodies cramped in a little yard set their minds to fly over the world and roam through the corridors of Time.

"In 1935, I had seen young men, in prison, anxious to explore the world, to understand India in terms of the world. They hated to be provincial, narrow in outlook. In 1945 I saw young men anxious to explore space and time, their vision was four-dimensional; they yearned for a sense of history; they scorned to be provincial not only in space but in time; they sought to understand the world in terms of the evolving India, and strangely, the more their minds flew untrammelled, the more they flocked together and moved towards a common goal.

"As the release came, unlike other times, veteran Congress workers whose names make headlines were set free. The new-comers, the unknown young men, were kept back and are still being detained. Yet their morale remained sound. Even when their efforts and ideals were traduced and reviled by the released veterans, their morale was unimpaired. In the stirring words of Jawaharlal and Sardar Patel, they see their faith vindicated.

"The young men of 1942 have shown a rare spirit of fellowship. In their smiles there is a cementing force! They have come together not merely in politics but in life. Full of clean fun and frolic, they have in them a core of steel—a firm, unswerving yet unobtrusive determination to "Do or Die." That is the great heritage of '42 which the Congress organisation has now to integrate in its fabric if it seeks to realise its destiny.

"For some weeks, as a jail punishment I was completely isolated, virtually deprived of human company. It was an interesting and not unwelcome experience. Daily life, from an unconscious routine, became a deliberate ritual. Toller's *Letter from Prison*. Rosa Luxemburg's *Prison Letters* and Arthur Koestler's *Dialogue with Death* when re-read in that solitude opened new petals of meaning. The chirping of birds and the stirring of leaves got vested with meaning and value. The links with Nature are fully and truly opened only when the ties with men and affairs are slackened.

"Prison is a rare school. It teaches firmness and catholicity. Twenty-four hours of close companionship with men unknown before teaches one valuable lessons in accommodation. It raises group living to a fine art in the hands of a truly creative and humanist spirit. Solitary confinement provides a balancing development in terms

of solitude and detachment.

"The most unforgettable experience of the 153 weeks spent by me in this my fourth trip to prison has been the contact with the young men. Their affection, their integrity and humanity had a rejuvenating quality. One sees in them the harbingers of a New India—an India freed from shackles. The ghost of the dead past no longer holds them back and yet they are no blind enemies of our ancient heritage. Venerating tradition, they are enemies of traditionalists; valuing equality they anathematise the "Communists," passionate lovers of India they refuse to be parochial in time and space. Under wise, tolerant, and courageous leadership these young men can become the architects of a great, perhaps undying, future. It is these young men that I salute!"

## CHAPTER XXII

### RAM NANDAN MISRA

The life of Ram Nandan Misra, well-known Socialist leader of Bihar, is rich in political adventure. In November 1942, he escaped from the Hazaribaugh Central Prison, with Jayaprakash Narayan and four other associates. This daring escape was one of the sensations of the Revolution of 1942.

He was subsequently arrested in February 1943 and confined to the Lahore Fort.

The story of the tortures and the ill-treatment to which he was subjected makes harrowing reading. It is a story of physical violence, kicks, slaps, fist blows on the face, violent pulling of the hair, injuries to the delicate parts of the body and beatings into unconsciousness.

“On a number of subsequent occasions,” says Misra, “such unconsciousness came to me as a relief during such beatings.”

During this time he was not permitted to have interviews with his family members or his legal advisers. The letters he sent to the Chief Justice of the Punjab High Court and to the Premier of the Punjab Government were suppressed by the Secret Police. The following letter addressed to the Prime Minister and other Ministers of the Punjab was ultimately smuggled out of the prison at great risk. It actually saw the light of day only two years after it was written.



**RAM NANDAN MISRA**



To

The Hon'ble the Prime Minister and the Ministers,  
Punjab.

Gentlemen,

I am a security prisoner detained since the 28th of August 1943 in the Kasur Sub Jail. I am a resident of Ragunathpur in the Province of Bihar, where my Zamin-dari property belonging to my family and myself is situated. I have been assessed for Income Tax for more than Rs. 30,000 a year. The present Maharaja of Benares is my sister's son. I am a graduate of the Kashi Vidyapith and since 1928 I have been actively associated with Congress work.

On the 22nd of February, 1943, I was arrested in Lahore and taken to the Lahore Fort, where I was detained in the custody of the C.I.D. till my removal to this place on the 28th of August 1943.

I was arrested at 4 p.m. and reached the Lahore Fort at 5-30 p.m. Immediately an interrogation began which lasted till about 6-30 p.m. of the next day, i.e., for a continuous period of 25 hours, the only interruption being for the purpose of answering the calls of nature. The process of interrogation lasting for 24 hours or more at a stretch, went on throughout my detention in the Lahore Fort at intervals of about a week. Apart from these interrogations there were interrogations every day lasting several hours. Throughout these interrogations I was made to sit on a chair the back of which had been removed. A very large part of these interrogations consisted, as they necessarily must, of utterly irrelevant questions. The main purpose of these interrogations was to wear me down mentally and physically in order to trap me into admissions which the C.I.D. apparently was

very keen on obtaining. For example, the C.I.D. wanted me to state that to my knowledge Mahatma Gandhi was pro-Japanese and that the Working Committee of the Congress had planned a campaign of violence prior to their arrest on the 9th of August, 1942. Every denial on my part increased the violence and ill-treatment to which I was subjected throughout.

During all these interrogations I was subjected to physical violence in the shape of kicks, slaps, fist blows on my face and violent pulling of my hair.

Apart from these assaults during interrogations, on several other occasions I was similarly beaten. Beatings were also administered to me at least another 20 times after trussing me up and after my buttocks had been covered with blankets in order to leave no trace on my body.

On the 11th of March, 1943, during one of the beatings of the latter type I lost consciousness and I do not know if the beating was continued thereafter. On a number of subsequent occasions unconsciousness came to me as a relief during such beatings.

Abuses of the most filthy nature were showered on me throughout the period of my detention.

All this was done under the supervision and instruction of Superintendent Robinson of the C.I.D.

I do not know the names of all those who assaulted me and abused me. Ch. Mahomad Hussain, Inspector, Bar Buntasing, Inspector, and Mohamad Amir, Head Constable, were among those who assaulted me, and Superintendent Robinson and Superintendent Syed Ahmad Shah were among those who abused me.

Mahatma Gandhi and Pandit Jawaharlal Nehru also come in for their share of filthy abuse from

Ch. Mahomad Hussain.

Througout the period of my detention in the Lahore Fort, I was kept in solitary confinement and was not allowed to meet or associate with the political prisoners, who I later came to know were detained there.

I was not supplied with any clothing apart from the clothes I was wearing at the time of my arrest.

Every time I saw the doctor I complained to him about the assaults and also informed him about the fits of unconsciousness. On one occasion I became unconscious in the presence of the doctor. Unfortunately I do not know the name of the doctor, but I have no doubt that you will easily ascertain it.

I am 36 years old and on no occasion during my life, prior to the 11th of March, 1943, have I ever been subject to fits of unconsciousness or any other type of fit. My weight at the time of my arrest was 192 lb. and when I was weighed on my arrival in this jail it was 123 lb. Thus during the period of 25 weeks in the Lahore Fort I lost 69 lb.

Owing to the treatment given to me, at one time I despaired of my life and dictated to Inspector Buntasing my instructions for the disposal of my body, and a message to my wife and my family. And if I am alive today it is through no fault of the C.I.D., for, in fact, what they did amounted to nothing short of an attempt to murder me. I have already mentioned that I had several times informed the doctor about the beatings to which I was subjected. About the 15th of August 1943, I informed Superintendent Syed Ahmad Shah, Deputy Superintendent Rizvi, Inspector Naoransingh and Line Officer Gurdatsingh that unless by the 1st of September I was permitted to write to the Prime Minister, as I had request-

ed innumerable times in the circumstances hereafter mentioned, and allowed to meet other detenus confined in the Lahore Fort, I would resort to hunger-strike. I told the doctor about it. The doctor, I understood, spoke sternly to the officers concerned and informed them that physical violence must stop forthwith, and that in the state of my health hunger-strike would lead to a quick collapse. The result was that after the 15th of August I was left alone and on the 28th I was transferred to this jail.

I have already mentioned the reduction in my weight but apart from that, the general condition of my health is very bad. I have little or no appetite, get disturbed sleep and feel so weak that any little exertion, mental or physical, leaves me badly exhausted. The doctor here thinks that I have become very anaemic.

On the afternoon of the 23rd February, 1943, when I was taken to the office of Superintendent Syed Ahmad Shah for further questioning, I complained to him about the assault on me during the previous night and told him that I wanted to write to the Hon'ble the Prime Minister and send petitions to the High Court, the District Judge and the District Magistrate. Next day Superintendent Syed Ahmad Shah told me that none of these things could be permitted, but that I could apply in writing to the D.I.G., C.I.D., for permission. Accordingly, I handed an application to that effect to Syed Ahmad Shah, but I received no reply. Almost every week thereafter I repeated these requests, but I was orally informed that the required permission could not be granted.

On the 23rd of February, 1943, I also requested Superintendent Syed Ahmad Shah to permit me to write to my wife and my sister, the Dowager Maharani of Benares. I was given two sheets of paper for these letters

in which the bare fact of my arrest was mentioned. I informed my wife that she should seek permission from the D.I.G., C.I.D. Punjab to interview me. My whereabouts were not mentioned in those letters as I was told not to do so. Thereafter on numerous occasions I requested permission to write to my wife, but was not permitted to do so. I have reason to doubt that these letters to my wife and sister were ever delivered.

On the 6th of September I wrote to the Superintendent of this jail mentioning, *inter alia*, that during my detention in the Lahore Fort, I had been subjected by the C.I.D. officers to various forms of torture and that I wanted to consult Malik Jiwanlal Kapoor, Barrister-at-Law, a senior counsel practising in the High Court, Lahore, and that the Superintendent should be good enough to take the necessary steps to secure an interview with Kapoor.

The next day, viz., on the 7th of September, Mr. MacDonald, Deputy Home Secretary, accompanied by Superintendent Robinson of the C.I.D., came to visit the jail. Both Mr. MacDonald and Superintendent Robinson told me that I could not have an interview with any lawyer. They also made the amazing statement that so long as I was a detenu I would not be permitted to approach the High Court or any other Court. I do not know if Mr. MacDonald is ignorant of the fact that the Punjab C.I.D. indulges in tortures and third degree methods. But assuming that he was ignorant, my above mentioned letter to the Superintendent of this jail had this fact prominently mentioned therein and Mr. MacDonald had read this letter before he saw me. Neither he nor the Superintendent of this jail, who happens to be a magistrate, bothered to ask me even a single question regarding my

complaint of torture.

As I was told by Mr. MacDonald that I would not be permitted an interview with Mr. Kapoor, I have written to Mr. Kapoor stating the relevant facts and asked him to take the necessary legal action thereon. This letter was written on the 15th of September, 1943, but so far I have received no intimation of its having been delivered to Mr. Kapoor. Since I desire to bring those who illegally assaulted me before a proper tribunal, I request you to see that the letter to Mr. Kapoor is delivered and to furnish me with proper facilities to do so without delay.

I had heard of third degree methods and of the torture inflicted by the Gestapo, but I was not aware that under a responsible ministry, the Punjab C.I.D. could equal if not excel those methods, till my personal experience proved this.

I might mention that mine is not an isolated case of torture by the C.I.D. in the Punjab; and from the little information that I have, the method of torture and third degree is not a speciality of the Lahore C.I.D. alone, but is indulged in in other parts of the Punjab as well. I am assuming of course, that you, gentlemen, would not permit these things to go on if you knew about them, for if I thought that these things were going on with your knowledge I would not waste ink and paper in writing to you.

It is a sad commentary that in the midst of a war, ostensibly waged to destroy Fascism and Hitlerism, the policy in a province ruled by responsible ministers should, with impunity imitate the same methods that have shocked the conscience of the civilised world. It is strange indeed to find that while the Nazi, Italian, and Japanese

prisoners, whose governments have let loose terrorism and murder on the world are treated as honourable guests, some of us who have been consistent and open critics and opponents of Fascism, Nazism and Japanese Imperialism should be subjected to the treatment described above.

The other day I came across a letter in the *Tribune* from the wife of Dr. Jayachandra Vidyalankar stating that, after his removal from the United Provinces some months ago, his whereabouts were entirely unknown to her. I might mention for your information that Mr. Jayachandra, till the date of my removal from the Lahore Fort, was there in the custody of the C.I.D., probably undergoing treatment similar to what I received. You are aware that the Rules 26 and 129 of the D.I.R. empower detention without requiring that the detenu should be produced before a magistrate at any time. These powers unless they are rigorously checked and supervised, give a *carte blanche* to the police in whose custody the unfortunate detenus remain in this province for an indefinite period.

My sole purpose in writing to you is to draw your attention to these inhuman methods and practices employed by your subordinates, so that you might put an effective stop to them, and that others who may be so unfortunate as to fall into their hands may be saved from the treatment that I received.

Earlier in this letter I have already mentioned my repeated requests for permission to approach the Prime Minister. It is amazing beyond words that the C.I.D. has the temerity to prevent anyone from approaching the administrative head of the province. I am hoping that this letter may not have the same fate. I shall,

therefore, be glad to receive a word in acknowledgment of this letter.

(Sd.) Ram Nandan Misra.





JAYAPRAKASH NARAYAN

## CHAPTER XXIII

### JAYAPRAKASH NARAYAN

“This letter was written to the Punjab Government early in February 1944. My “interrogation” had been completed by then. As I was at that time a State prisoner, the Home Secretary to the Provincial Government, Mr. A. A. MacDonald, used to visit me every month. He came to see me first in the middle of December 1943 when he told me that the Punjab C.I.D. had given me up as “hopeless.” It was then that I had asked him for permission to make a written complaint to the Provincial Government. He said then that he would think over the matter. When he came again he told me that I had permission to write to the Government whenever I wanted. But there was a further delay of a couple of weeks, for in spite of the Home Secretary’s orders, I was not provided with the necessary writing materials till the beginning of February.

“There was no formal reply from the Government to my representation: only Mr. MacDonald informed me, when he came to see me next, that my letter was “sent up,” as I had wished, and was “sent down” again. That was all the notice that the Government of Lt. Col. Malik Khizar Hyat Khan took of a serious and earnest complaint made to it.

“To

“The Home Secretary,  
“Government of Punjab,  
“Lahore.

“Sir,

“I beg leave to bring to the notice of the Punjab Government certain facts and place before them certain

of my grievances that arise from them. I shall first briefly state the facts.

"I was arrested on the 18th of September last year at Amritsar and brought the same day to this Fort. After about a month of my detention here I was taken to the office where officers of the Punjab, Bihar and Bengal C.I.D.s were present. I was informed that I would have to answer certain questions that would be put to me and make a statement regarding my recent activities. I made it clear to the officers present that I was prepared to answer any question that did not relate to my recent "underground" activities, and as for a statement, I had no more to say than that I was an enemy of the British Empire of India (not of Britain or the British Commonwealth), that I was working for my country's independence and that I would continue to do so till either the object was achieved or death intervened. The interrogating officers on their part made me understand that I was not to be let off till they had obtained from me the information they wanted.

"In this manner my so-called interrogation began. Thereafter I was taken to the office every day and made to sit there for varying periods of time. For the first few days the hours were not too long. Even so I pointed out to the interrogators that forcing me to sit in the office for hours together and repeatedly asking me questions that I had declined to answer was a form of harassment to which they had no right to subject me. I was told that I was in the hands of the Punjab C.I.D. and the question of rights did hardly arise. Gradually the hours of "interrogation"—in plain language harassment—were lengthened: from 8 a.m. to midnight. Often varied threats would be given to me in varied manners, some

politely and mildly, some harshly and annoyingly. At this stage I made vigorous protests and asked repeatedly but fruitlessly to be allowed either to talk to the Superintendent in charge or to write to the Government. It struck me as a remarkable system in which a prisoner could not even complain or petition to the Government which held him in custody; and I wish to bring this point to the notice of your Government with some emphasis, for in this system lie the germs of much mischief and injustice. To my mind, the right to petition should never be denied to a prisoner. I should mention here that about this time I made it clear to the interrogating officers, not in boasting but in all earnestness, that I was determined to risk my life, if necessary, but would not submit to their pressure. No one knows his powers of resistance but that was my sincere resolution and I did my best to persuade the officers to believe me.

"The final stage in my harassment, which turned then into a form of torture, was to allow me no sleep during day or night. From morning I would be continuously kept in the office, then taken to my cell for an hour, brought to the office again for an hour or two, taken back for an hour again and so on till morning. The interrupted parcel of hours that I got in my cell could hardly bring me sleep, for, just as I would be dozing off, the time would be up and I would be out again. On paper this process perhaps does not appear to be so torturous, but I can assure you in all honesty that when continued for days, it is a most oppressive and nerve-racking experience. I cannot describe it as anything but torture.

"In the second week of December this torture suddenly stopped, as did the "interrogation." A few days later I was informed by you that my interrogation was

over.

"So much for the facts.

"My grievance is that I have been tortured and treated in this fashion without any justification or warrant whatever. There is and there can be no moral or legal sanction for it. Even the all-sweeping ordinances do not permit such practices nor vest the police with such powers. A prisoner is a most helpless creature, and whatever his crime, civilisation safeguards against his ill-treatment. For his crime he may be hanged if the law required it; as a prisoner, he may be punished according to prison rules, but he cannot be harassed and tortured for refusing to give information to the police. That a political prisoner should be so treated is still more reprehensible. Here I should like to draw the attention of the Government to another aspect of the matter. I have no desire to appear vain or boastful but in order to make my point I must say that if the C.I.D. went so far with me it can be imagined how much further it can go with those who, perhaps, worthier than myself, are yet not in the public eye or do not hold any position in public life. That such people should be completely at the mercy of the C.I.D. without even the right to petition the Government is a state of affairs that should not be permitted to continue.

"Suppression of political opponents is of the essence of Nazism and Fascism—torture of political prisoners their most characteristic feature. I am conscious of the argument that those who believe in violence as a political method, as I do, must be prepared to be forcibly suppressed. I grant that, but there are lawful means even for such suppression. A political revolutionary may be executed for his offences when found guilty by the estab-

lished law, but he may not be put to any torture for the extortion of information. War is the deadliest, most brutal and violent form of political conflict. Yet a prisoner of war has certain rights and immunities which civilised society scrupulously respects. The same person who would be most mercilessly bayoneted to death on the field of battle would be immune from ill-treatment in the war prisoners' camp and would receive such amenities as the standards of the countries concerned and his own status would warrant.

"The plea that the work of the Criminal Investigation Department must be carried on, and that in such work there is no room for human values or standards of civilised conduct is a type of excuse that can hardly be seriously put forth by an enlightened Government, such as the Government of the Punjab, no doubt, would claim to be. If the C.I.D. cannot carry on its investigations without the use of torture it were better to replace it with a department that relied on brains and the science of detection rather than on primitive and vulgar methods. No civilised Government to my mind can be justified in lowering its standard of conduct just to enable its criminal (investigation) department without skill and intelligence to find facile means of success. It is laziness of thought and conscience to believe that investigation of crime is not possible without torture.

"I, therefore, while harbouring no bitterness for those who interrogated me, for they were only carrying out orders, cannot but feel the deepest resentment against those who were really responsible for meting out such treatment to me. I have no idea who these were, but I cannot be persuaded to believe that the Council of Ministers, which is the Constitutional Government of the

Province, could have sanctioned such a policy or permitted it to be persisted in had it been brought to its notice. My purpose in writing this letter is firstly to lodge my protest with the Government against the treatment I have received at the hands of its C.I.D., secondly, I must earnestly beg of you to place this letter before the Prime Minister, so that he may personally look into this matter and put a stop to a policy of which, I have no doubt, he cannot approve but for which he is constitutionally ultimately responsible.

"The least, if I may be permitted to suggest, that should be done is to allow every prisoner under interrogation to petition or complain to Government whenever he finds cause to do so; to require the Superintendent-in-charge to see every prisoner once a week or a fortnight and to allow an accredited non-official visitor to do likewise.

"Begging to be excused for taking so much of your time,

"I remain,  
"Yours faithfully,  
Jayaprakash Narayan."

## CHAPTER XXIV

MOHAN SINGH

### Leaves From My Diary

Today is New Year's Day (1946); but I continue to live in the same old cell and the same old way. The new year has not brought any news or new change in my monotonous routine of counting the hours—except that I am going to keep my diary from now on.

And' what is there to merit being mentioned in a diary at this place and in this sort of life? Perhaps there may be nothing to write at all. Yet, judging from the long experience of my solitary and lonely hours, I feel that in the solitude of dark cells there are times when one finds oneself in the company of one's own true and real self. In such moments a man can talk with himself in a manner that he can never talk with anyone else. His thoughts travel at such a terrific pace that even the best stenographer will find it impossible to reproduce them on paper. Such moods come only occasionally, and now that I am allowed the use of pen and paper, I would try to jot down whatever comes out of my mind. It would be, in a way, the interpretation of my own moods and temperament, and at a distant date would provide, for my own amusement, a retrospective picture of my own self.

### Looking Back

#### 1st January

I was taken out of the Pearl Hell prison (Singapore) on the afternoon of 23rd November, 1945. As the name of the prison indicates, it was nothing short of living hell. Judging from the behaviour of the British staff of the prison, it seemed that the war had turned the Britishers into civilised brutes.

All through the journey from Singapore to Delhi, Major Wylde's behaviour towards me had been gentlemanly and full of deep human understanding. I recollect the words he uttered when he took off his pistol at the Rangoon aerodrome: "Damn it all . . . I know what sort of a man I am escorting and these . . ."

I must have stood for nearly ten minutes in my cell, pondering over Major Wylde's behaviour, and I said to myself: "It is only right that I should hate the imperialist British system, the greatest and blackest of exploitations, but I need not hate any individual Englishman. Here was an Englishman as good, kind, and noble as a man ought to be, but as helpless and powerless as any other victim of a vicious system."

There is something which has been disturbing and agitating my mind since my arrival here. I have gathered from newspapers that there were two I.N.A.S., the first and the second. It has pained me to hear this. I am really perplexed, and it is a mystery to me who is at the back of this. Who is trying to create a division amongst us?

Is this not a trait of our land which has a tradition and tendency for division? Or is it a legal trick which may facilitate the defence of I.N.A. personnel? Or is it a device of our rulers to create a division in our ranks,

so that one may speak against the other? But whatever it may be, it is not a fact.

The fact is that the I.N.A. was one, is one, and will remain one. The same military personnel formed the so-called first and second I.N.A.s. The only difference is that in December, 1942, there was a trial of strength between the I.N.A. and the Japanese, about 10,000 officers and men were separated from the main Japanese army and did not join again. It was that test which proved to the Japanese that Indians could not be exploited and that when it was a question of honour, Indians could still, even after 200 years of slavery, give proof of being alive.

In that test, India lost the flower of the I.N.A., whose heroic stand in a very dark hour remains yet to be told.

## 2nd January

Three years have passed. Time, the great healer of all sorts of wounds—physical, mental, or spiritual—has miserably failed in this case to diminish the bitterness of my soul. All through I have been unhappy. I have not yet experienced a real peace of the soul. Bitter memories have been haunting me like an inexorable ghost. I have forgiven but not forgotten.

I continue to rot here as a helpless victim of a ruthless system of brutal force. I have committed no crime against any individual or any people. What I wanted and worked for was the complete eradication of slavery from India. It was indeed an attempt to restore to nearly one-fifth of the human race the status of free men and women. That sincere desire of mine was considered quite a big crime by those who posed as the great standard-bearers of the freedom of India. What

an irony of fate!

### 3rd January

Happy news. The trio—Shah Nawaz, Sehgal, and Gurubaksh (G. S. Dhillon)—have been released. For once the British have acted with prudence. The trial of these three was in fact a test trial. The whole I.N.A. was being tried. Their release means the release of the I.N.A. All of us of the I.N.A. have followed the proceedings of the first court-martial with rapt attention throughout, not because our own fate hung in the balance, although that too was a consideration with many of us, but because it was the trial of a subject race and the whole nation had, therefore, taken it up and made it its own cause. The verdict has been given; it has greatly heartened us. For once we have received good tidings.

But how will these boys take it? Will they realise that all the acclamation and admiration which they will receive from the entire nation will not be for their personalities but for the cause for which they had fought? If they take everything showered on them, as representatives of the I.N.A., then they will greatly profit by it; but if, unfortunately, they take whatever comes to them, as their personal privilege, then it will be harmful for them in the long run. It is, therefore, in their interest to remain cool, calm, and unaffected in the midst of the countrywide receptions that will be showered on them. Good-bye and Good Luck, my old comrades, the brave trio!

### 6th January

We have been brought to a new camp in Delhi Cantonment. Here I share my small room with Major-

General Aziz Ahmed, an old colleague of mine.

### 25th February

A hero is usually a quiet person. He needs no advertisement; his deeds speak for him in a more eloquent language. He does not know that he is a hero and, therefore, can easily be recognised by his silence and humility. Those who shout in self-praise are less likely to be heard, and have to face bitter disappointments.

For a real knowledge of human nature, you simply have to study your own nature. Carefully study in your own self your reactions to things spoken and deeds done to you, and the impressions left upon you by others. Then, remember, the same applies to others.

### 26th February

Never give an immediate reply to anything which has agitated or upset you. Sleep over it, at least for one night. This alone has got the power to put you right. Remember, there is nothing like "forgive and forget."

### 4th March

A Gurkha sentry came to lock up my room at eight tonight. I was sitting in my bed preparing myself for a peaceful dose of my usual eight-hour sleep. The sentry lingered on awhile, as if waiting to talk to me. Not a word, however, came out of him and I closed my eyes again and became absorbed in myself. After a few minutes I was surprised, however, that instead of locking my cell and going away, he still stood silent, preparing himself to say something. Then came a horrible sentence from him, which, as it fell on my ears, thoroughly shook me, and the question, asked in a deep

and sympathetic tone, caught me unawares and unprepared.

“Sir, when are you to be hanged?”

What a question to hear in one’s cell and at this hour of the night, particularly when one has hopes of release!

“When all your British officers who tell you this sort of thing have been hanged,” replied I, and this shook the poor, simple Gurkha just as much as his question had shaken me.

On further enquiries I understood that as there was a double sentry on me, mine being the only cell to be locked up during the night, this innocent soldier had been told by some mischievous British officer that I was a most dangerous person and was to be hanged in the near future.

### 7th March

The cry for Pakistan has risen to stupendous heights. In 1941, when I left India, it was considered to be something unreal and merely a “stage trick” to bargain for political rights, not for the Muslim masses, but for the vested Muslim interests. Today when I read the papers I am surprised. It has become a real and very live issue. What has transpired in the intervening period? I fail to understand what has contributed to its becoming a real issue.

I am a soldier—I see things not through Congress or Akali or League glasses, but only from the point of view of a soldier, and an Indian soldier at that. The main principle of fighting lies in dividing the strength of the enemy and striking first at one part and then at the other, eventually crushing both. In India, the British have

mainly relief on this principle, and have achieved amazing success. In other words, they have hoodwinked us, and have succeeded in dividing India into two watertight compartments. By remaining divided both the compartments are at the mercy of the common enemy, but by uniting they can easily defeat him. It is up to our leaders to choose between the two—unity or disintegration—the former good for both, the latter injurious to both.

We all suffer at the hands of vested interests, whether they be British, Hindu, or Muslim. There is very little to choose between a Hindu Rajah and a Muslim Nawab. Both flourish on the exploitation of the masses. In the same way there is little to choose between a Hindu bania and a Muslim landlord. Both remorselessly suck the blood of the poor. The fight, today, is between Hindus and Muslims. This, of course, suits the vested interests in both the camps, who are exploiting our religious sentiments in order to achieve their own selfish ends.

### 13th March

Col. Burhan-ud-din, the pride of Chitral and a brave son of India, had already received seven years' rigorous imprisonment. His punishment had made Shangara and Fateh Khan very pessimistic. They feared that although no charges against them had been proved by the notorious prosecution agents, the precedent of punishment had been set, and it would be impossible for them to escape. They quietly awaited the day of the award.

At last the long awaited day came. This morning

they have been removed from here to an unknown destination. Fourteen years! Half a lifetime! And now, O you "big guns," sitting in the Army Headquarters and occupying high Government positions, be happy and celebrate! Laugh to your hearts' content! Nothing short of the devil's laughter it would be. Tonight, when these two brave soldiers of India's battle for freedom are locked up in cells, drinking parties will begin in most of the British messes. And all this in our own country!

### 16th March

Jail life has few pleasures; one of them is reading. Since I was brought to Delhi, there has been no dearth of good and interesting books, and I enjoy reading them. But it was not so during my long confinement in the East. Here I get practically all the newspapers that I may want to read. Newspapers go a long way towards keeping one well informed of the day-to-day events of the world. But I must confess that reading has one defect. Most of us borrow our opinions from the books and newspapers we read. We merely become the passive reservoirs for the ideas of certain authors and certain newspapers. This hampers the growth of our independent thinking.

### 1st April

Repentance! Repentance! What a waste of fifteen years, the most precious and the best part of my life! For the last ten days I have been thinking of the long and hard years of my Army career. How much I had to struggle to rise from a private soldier to the rank of a Commissioned Officer! How proud, dignified and glorified I felt when I joined the Indian Military Academy as one of the pioneers in 1932! I considered it a

great honour and a matter of deep satisfaction to belong to the very first batch of cadets of that great Military institution of India.

That enthusiasm of mine, however, did not take long to cool down when I saw a little more of the ways and modes of life of Army officers; their arrogant, conceited, and snobbish manners; their swank and swagger; and, worst of all, their debauchery, in which most of the officers indulged so freely and proudly. I got disgusted and became unhappy. To those officers, women and wine were the most important part of their profession. I became discontented. Life would have become absolutely intolerable, had there not been some very decent officers though their number was very small.

Today, after a gap of three years spent in solitary confinement, how differently I feel—what a waste of energy those 15 years of my Army life appear to me! The whole thing looks dark. The only bright spot of my entire military career is its closing chapter. Perhaps that may compensate for the whole loss.

### 5th April

Last night, at about 8 o'clock, Mahatmaji, accompanied by Sardar Patelji and Raghunandan Saranji, came to see me.

The dark side of a picture must have its bright side as well. The dull and monotonous life of detention is not without its sweet fruits. This great soul of India, to see whom people travel thousands of miles from all over the world, did us a great honour in coming to see us here. How kind of him!

When he had left, I asked the Gurkha sentry if he knew who the visitor was. His reply was, "Hindustan

ka bara Raja" (The great Raja of India). I then requested him to explain it a little in detail. The simple Gurkha gave me a lengthy explanation in his broken Hindustani. To put it briefly, it meant this: the visitor was the Raja of the Congress; the English were leaving India after making him the Raja of India; and the English, according to him, were very afraid of this man.

I became interested in his point of view and, being in a humorous mood, asked him, "Does the Raja of Nepal also wear nothing but a loin cloth? Who do you think is the bigger of the two?"

His reply was that the Maharaja of Nepal was a different kind of Maharaja; therefore his dress was also different. This Raja (Mahatmaji), according to him, was bigger than any other Raja of this world.

We talked for a while and he assured me that if any English officer ordered him to fire at this Raja of ours, he would fire at the officer instead.

considerably. He looked at me in an angry manner for a while, and then said:

### 16th April

I have started taking life easy and I find it doing me a tremendous amount of good. I do not hurry now as I used to do before. After all, why should I hurry, I who am nothing but an infinitesimal tiny little speck of life, when all Nature goes on steadily?

o I work only when I feel like working. For days I am as busy as if I were preparing for an examination. For days I am lazy doing absolutely nothing. Sometimes I watch life and activity going on around me, and at times I retire completely within my own self.

Doing nothing has also become a part of my life.

It is, in a way, either a preparation for the work to follow or a reaction to previous work. Activity and passivity are inter-connected like life and death, day and night.

As storms, rain and sunshine are reflections of the moods of Nature, so happiness and sadness are the reflections of our moods. It is only when I am free from inner turmoil, that I see everything beautiful and pure around me. When the external objects around me appear dim and dismal, there is something wrong with me. In order to see the whole of an object, I must keep on moving, putting myself in this or that position, and sometimes imagine myself to be the actual object. A fixed vision, unless the object looked at is moving, will only show one side.

#### 3rd May

All officers are released, only I am left. It is an honour for me to be the last. It is only natural that the man who formed the vanguard in December, 1941, in order to raise the I.N.A., should now, in its reverse order, act as the rearguard. There are strong rumours that I, too, may be released tomorrow.

#### 4th May

Last night at 9, I received a message that by 9 a.m. tomorrow my kit should be packed up and that I would be required to report in the office. I welcomed the news. Now at 8-30 I am ready, awaiting Capt. Heck to escort me to the office—then Release!

I have just returned from the office. I remain as I was. No hope of my release till a National Government comes into being!

Look at the cheek of the authorities! They wanted

me to sign a silly, stupid, and dishonourable piece of paper; and what do they mean by "You are still in the Army!"

Escorted by Capt. Heck I went to the office. The Brigadier met me outside the office, and in a sympathetic manner said: "I am pleased you are going home." I thanked him, for he has always been good to me during my five months' stay here.

A few minutes later, Lt. Col Squire called me into his office, where he read to me the terms and conditions under which I was to be released, and I was supposed to sign a document.

I had entered his office in a careless manner. He had expected a salute from me, but I intentionally did not perform this military ceremony. This offended him considerably. He looked at me in an angry manner for a while, and then said:

"Why are you not in uniform?"

"What uniform are you talking of, Colonel? I am not in your army," I retorted in an indifferent insulting sort of tone!

"Have you not been issued with a uniform?" he abruptly said, cutting short my reply.

"Yes, I have been issued with some sort of uniform which I am, however, not going to wear under any circumstances," I replied again, in the same careless tone.

The argument continued for a few minutes in an unfriendly manner. Col. Squire felt a little upset; but after asking me to sit down, he began to read the terms of my release. I stopped him from reading all the nonsense and told him frankly that I was not prepared to obey anything of the sort, that I considered myself a free man, and that only my movements could be and were restricted.

I emphasised that I did not want to deceive him any more than I would deceive myself.

It is true that once I used to be a member of their army, but now I was not. Having raised an army to fight that army, how could I, with a stroke of the pen, be reinstated? I asked Colonel Squire to search his mind and find an answer to the question whether I had ever put in an application that I might kindly be taken into the army again. Was there any English officer in the entire Army Headquarters who would listen to such a thing? At the same time, were the "high-ups" in the Army Headquarters promising me the highest promotion if I came to them and served under them again? Did Col. Squire imagine that I, who was determined to fight the British, could accept such an offer? There was no love lost between me and the British. If that was the case, then why should they live in deception and tell me something which was not and could not be? Finally, I told him that as a humble follower of Truth, I considered it my duty to fight evil, that British imperialism was the greatest evil in India, and that the moment I came out I would do all that I could to eradicate and destroy British imperialism.

He listened to me with reluctance and at last cut me short:

"Are you prepared to sign this or not?"

The answer was very brief and in one word: "No."

"Then you will not be released," came his final decision.

"I did not beg of you to release me. It was you who sent for me."

The Colonel became very annoyed, and ordered Captain Heck to take me back to the cage. Thus here I

am again, in the same old place. My cell seems to have got attached to me!

A few more months in it will do me a lot of good!

Col. Squire has been nice and considerate towards me ever since I was brought here. I am sorry to have offended him. But that could not be helped. It was not Squire and Mohan Singh who were talking, but a representative of the notorious British imperialism and a representative of poor and exploited India.

Two hours later, Capt. Heck turned up again and said: "We have decided to get rid of you. You are wanted in the office again."

And now I am honourably released!





**SHEIKH ABDULLAH**

## CHAPTER XXV

### SHEIKH ABDULLAH

Sheikh Abdullah is the great leader of Kashmir, one of the world's loveliest countries, extending over 82,258 square miles (almost as much as the British Isles); population, 4,021,616.

Rich in natural resources, its staple crop is rice and Indian corn; wheat, barley, and oats are also grown.

All kinds of British vegetables grow there; and fruit trees grow not only in the orchards, but wild all over the valleys.

Sheikh Abdullah was tried under Section 124 A in the Court of the Sessions Judge, Srinagar.

#### **Sheikh Abdullah's Statement**

1. "I have pleaded not guilty to the charge of 'sedition', which, according to jurists, is a crime against society, and I stand by whatever I have said or written in regard to the fundamental rights of the people of Jammu and Kashmir. The reports of my speeches, though neither verbatim nor strictly accurate, are fairly correct. But when reliance is placed on the complaint and the charge, on certain sentences, torn out of their context and not free from distortion, a wrong impression is likely to be produced. I owe it to you and the decencies of civilised controversy to state that I have maintained a clear and strict distinction between persons and politics, between

individuals and the system of government which they operate, and I would not allow any undignified or indecent reference to or vulgar abuse of anyone anywhere. I have, however, all along sought the alteration of policies and measures, and a vital change in the system of government by legitimate and civilised means; for it is the birthright of man to shape and mould the law by which he must live.

2. "I must also repudiate the charge that the violence to which the people are alleged to have resorted after my arrest resulted from my speeches, for realism alone would not permit me to contemplate a violent clash between the unarmed people and the armed might of the State. I called a total halt even to speeches after May 16th, and was proceeding to Delhi on May 20th for consultation with the responsible leaders of the All-India States Peoples' Conference. I was not allowed to proceed far and was arrested at Garhi. The news of my arrest naturally called forth a public protest, which was met with violent repression, and the bullet holes in Khanqah-i-Maulla bear silent testimony to it. Subsequently a chain of happenings took place, the bitter memory of which is fresh in everyone's mind. Even upto now fresh links are being forged in that dreadful chain of ruthless suppression and suffering. An elaborate attempt has been made by the prosecution to connect the events that happened after, and in consequence of, my arrest—which I am advised are irrelevant to the case—with my speeches. Thus oddly enough, is sought to be justified the precipitate and uncalled for action of the Government in suddenly arresting me and hundreds of my colleagues, and turning the military loose on our people, in pursuance of a policy of frightfulness, resulting in the death, injury, humilia-

tion, and harassment of many innocent men and women.

3. "I am not interested in a personal defence, and I would not have undertaken it if I had not felt that my trial for sedition is something far more than a personal charge against me. It is, in effect, a trial of the entire population of Jammu and Kashmir, even though some of them, being content with their transient personal interests, or out of fear, may not be prepared to recognise or openly declare this. Oppressed by the extreme poverty, misery, and lack of freedom and opportunity of the people of Jammu and Kashmir, I and my colleagues of the Jammu and Kashmir National Conference, many of whom are behind prison bars or in exile today, have humbly sought to serve them during the past sixteen years. We have endeavoured to give faithful expression to the growing consciousness among the people of their imprescriptible rights, aspirations, and desire for freedom. This has attracted the penal and preventive provisions of law. Where law is not based on the will of the people, it can lend itself to the suppression of their aspirations. Such law has no moral validity even though it may be enforced for a while. There is a law higher than that, the law that represents the people's will and secures their well-being, and there is the tribunal of human conscience, which judges the rulers and the ruled alike by standards that do not change by the arbitrary will of the most powerful. To that law I gladly submit; and that tribunal I shall face with confidence and without fear, leaving it to history and posterity to pronounce their verdict on the claims I and my colleagues have made not merely on behalf of the four million people of Jammu and Kashmir, but also of the ninety-three million people of all the States in India. That claim has not been confined to the people of a partic-

ular race or religion or colour. It applies to all, for I hold that humanity as a whole cannot be divided by such barriers, and human rights must always prevail. The fundamental rights of all men and women to live and act as free human beings, to make laws and fashion their political, social, and economic fabric, so that they may advance the cause of human freedom and progress, are inherent and cannot be denied though they may be suppressed for a while. I hold that sovereignty resides in the people, and all relationships, political, social, and economic, derive from the collective will of the people. The State and its Head represent the constitutional circumference and the centre of this sovereignty respectively, the Head of the State being the symbol of the authority with which the people may invest him for the realisation of their aspirations and the maintenance of their rights. The people who constitute the State must be the first charge on the resources as well as the primary concern of the State. In promoting the good of the people there must be no discrimination between one group and another, and all of them should have equal rights, obligations and opportunities. No artificial disability should be permitted to operate to the prejudice of any individual or group or community.

4. "Through ages past, Kashmir has been famed throughout the world for its entrancing beauty, the peaceful and intellectual pursuits of its people, and the skill of its craftsmen. Nature has bountifully endowed this land and placed it as a lovely crown on the brow of India. If people from distant countries are attracted to it, what must be the feelings of those whose homeland it is and who have been nurtured in its bosom and who have drunk deep of its beauty and exhilarating air? And yet,

this land of fable and romance and abounding resources continues to suffer in the grip of appalling squalor, poverty, and misery; and through starvation and want, the bright eyes of its people have lost their lustre and their faces have become dull and lifeless. When we who are of Kashmir look at this strange paradox, we are moved to our innermost depths and an overwhelming desire seizes us to do our utmost to change this unhappy scene and make of Kashmir what nature designed it to be. It is this urge that has carried us forward, even though dangers and difficulties have faced us; and it is this urge that has gradually brought hope to our people and somewhat lightened their burden. Moved by this grim reality, the National Conference of Jammu and Kashmir drew up a plan for the future government of Kashmir, in which it embodied a Charter of the People's Rights and Obligations, a plan of a democratically organised responsible government with a constitutional Head and an economic structure of society, and called it "New Kashmir." It represents the fundamental rights and aspirations of the people of Jammu and Kashmir, and is in full consonance with the demands and policies of the rest of India and the All-India States Peoples' Conference, of which I have the honour to be Vice-President. I have participated in the formation of the policy of that Conference and I agree with it now as I have done in the past.

5. "This Conference has clearly laid down that the old treaties between the States and the British Government or its representatives are obsolete, and must end. That applies to all treaties including the Treaty of Amritsar, which has some special and unhappy features which make it a kind of sale-deed of the territory and

people of Kashmir. This treatment of a people as a commodity which can be transferred for hard cash has all along been deeply resented by the Kashmiris, whether Hindu, Sikh or Muslim. It hurts their national dignity. In practice, the peculiar nature of the Treaty of Amritsar has led to all kinds of discrimination against the Kashmiris, resulting in their treatment as some kind of a lower class.

6. "In March last, as the culmination of various events, the British Prime Minister made the following announcement:

'My colleagues are going to India with the intention of using their utmost endeavours to help her to attain her freedom as speedily and fully as possible. What form of Government is to replace the present regime is for India to decide; but our desire is to help her to set up forthwith the machinery for making that decision.

'I hope that India and her people may elect to remain within the British Commonwealth. I am certain that they will find great advantage in doing so.'

'But if she does so elect, it must be by her own free will. The British Commonwealth and Empire is not bound together by chains of external compulsion. It is a free association of free people. If, on the other hand, she elects for independence, in our view she has a right to do so. It will be for us to help to make the transition as smooth and easy as possible.'

"This announcement affected the Indian States as well as the rest of India; and the people of the States felt that just as the people of India as a whole would decide their future, both internally and internationally, so also

they must have the right to determine their own future within the States and in relation to the larger framework of a free India. That was not only a logical, reasonable, and long-standing demand, but also seemed to be the inevitable consequence of what the British Government had stated. The All-India States Peoples' Conference gave clear expression to this demand and looked forward to sharing, on behalf of the people of the States, in fashioning the future in co-operation with others.

7. "It was clear that the old treaties with the States had to go. They represented something that had no relation to the modern world or to the India of today. They could not be reconciled with the inevitable changes in India and in the States. If this was clear to begin with, it became an accepted fact by the Statement issued by the Cabinet Delegation of May 16th last. That Statement declared that paramountcy would end when the new constitution of free India came into being. It was an inevitable consequence that the old treaties and sanads and other engagements would go the way of paramountcy, and, the British Government being out of the picture, a new relationship would have to be negotiated between what is now known as British India and the States. The demand for the abrogation of the Amritsar Treaty was, in effect, disposed of by this clear decision of the Cabinet Delegation. The future constitutional set-up in the State of Jammu and Kashmir cannot derive from the old source of relationship which was expiring and was bound to end soon. That set-up could only rest on the active will of the people of the State, conferring on the Head of the State the title and authority drawn from the true and abiding source of sovereignty, that is the people. The 'Quit Kashmir' cry symbolised and gave concrete shape

to this demand for the termination of a system of government which was in process of dissolution all over India. That cry had nothing personal about it.

8. "Meanwhile developments in Kashmir had led to a crisis. A brief reference to the circumstances preceding the crisis is necessary here. Certain constitutional changes were introduced in 1944 which were glaringly inadequate and fell far short of the demand of the situation. Yet we agreed to work them in order to expedite and facilitate further change and, in particular, because we hoped that this would lead to contacts with the Ruler and co-operation in bringing about essential changes. But our efforts ended in failure, and these constitutional changes were reduced in practice to a futile shadow. The intolerable privations and grievances of the people of Jammu and Kashmir found no relief or remedy. A microscopic minority of variously graded jagirdars was, and is, allowed to exercise indefensible rights over large sections of the people who live in appalling poverty. In Jammu province, especially in Chinani and Poonch, the Jagirdari system presents a pathetic spectacle of degrading poverty and heartless exploitation. In recent years, Kashmir province has been, and is still being, parcelled out in jagirs which are granted to a small group of favourites. Thus, when land reform is considered everywhere an essential preliminary to progress, in this State a semi-feudal land system is actually being extended with all its attendant evils. As one goes up the higher valleys of the State, one is enchanted by the loveliness of mountain and valley and, at the same time, struck dumb by the degradation of human beings living there. The army of the State is drawn almost entirely from a selected class of persons of Jammu province only. The people of

Kashmir province, whether Hindu or Muslim, even though they may live in Jammu province, are completely debarred from entering the Army. The Kashmiris may join, and have in fact joined and distinguished themselves in the British Indian Army, but they are not eligible for the State Army. In regard to the keeping of arms there is also an invidious distinction in favour of a selected class, the rest not being allowed this freedom. This discrimination between one set of people in the State and another, which has nothing to do with religion, debars the bulk of the population of Jammu and Kashmir from the possession of arms and is evidence of the suspicion and distrust of this vast proportion of the State's inhabitants. It is a humiliation which is felt deeply and which underlines the policy of the State in emphasising the inferiority of the great majority of the people.

9. "The State has vast and rich natural resources, but these have failed to relieve poverty and utter want. Indeed apparently no effort is made to develop these resources for the common good, and Kashmir continues, in a changing world, static and unchanging and steeped in misery. This can only be due to the failure of administrators and the autocratic system of administration. It can only be remedied by the representatives of the people undertaking the task of planning and development for the rapid betterment of the masses. No State can succeed in raising the standard of its people's life without educating and training them to pursue creative and productive activities. The percentage of literacy in the State is six, the percentage of higher education is one, and the average income per capita is Rs. 11/- per annum. This by itself is an eloquent commentary on the system and structure of government to which the slogan 'Quit Kashmir' is

addressed.

10. "Prime Ministers had been coming and going in rapid succession, though Kashmir remained static. It seemed almost that some malign fate held our fair country in its vicious grip and prevented it from coming out of the quagmire in which it was sinking. War came and convulsed the world, but Kashmir remained the same backwater, where time seemed to stand still and the clocks did not function, except sometimes when they went backwards. The events of 1942 and 1943 shook the whole of India to its innermost depths and powerfully affected the people of Kashmir also. As elsewhere in India, political consciousness here rose to new heights and a sense of intolerable frustration seized the people. They could not remain where they were, they could no longer continue enduring their poverty and misery, which had increased under the stress and strain of war conditions. And yet they could not do anything to change what they could not tolerate, for the door of change was barred and bolted.

11. "The present Prime Minister came to occupy the seat of authority, and a new and disastrous policy of alienating the people was inaugurated. The position of the popular Minister was made intolerable, and he found himself compelled to resign. Soon after, as a result of secret intrigues, a member of the National Conference was won over by the State authorities and made a Minister overnight in contravention of the rules and procedure laid down by His Highness. This sudden development came as a great shock to the people, and they began to feel that His Highness had been influenced by the small coterie that surrounded him to act in a manner that was not expected of the impartial Head of the State.

12. "The sole object of the Premier's policy was to crush the popular movement as represented by the National Conference, presumably because this great organisation was the strongest and the loudest in expressing the people's demand for political and economic changes. We have the authority of the Premier himself for the statement that he started this policy immediately after taking office. To a newspaper correspondent he stated soon after May 20th: 'We have been preparing for it for eleven months and now we are ready to meet the challenge. There will be no more vacillation and no weak-kneed policy. We shall be ruthlessly firm and we make no apology about it.' Strangely enough, the Premier had the clairvoyance to prepare for the effect of my speeches eleven months before they were delivered or 'Quit Kashmir' was heard as a slogan. Even before those speeches, elaborate military preparations were made all over the valley and, again on the Premier's authority, three units of the Army were flown to Kashmir. There was much planning ahead. The Governor of Kashmir has stated: 'We planned ahead with the help of the police and military. The combined operation of the two alone, we knew, could save the situation. The fusion has worked well and yielded good results. My faith in stern measures before the trouble spread has been justified.'

13. "It is this eleven months' preparation, and all that went with it, that is the direct cause of the happenings since May 20th, not a few speeches delivered by anybody or some slogans shouted by a crowd. It is an ironical irrelevance to discuss the merits or demerits of a speech and to ignore the patent and admitted actions of the Kashmir State Administration which inevitably led, and were meant to lead, to the recent events. The climax of the

Prime Minister's 'ruthlessness' was reached after May 20th when men and women were dishonoured, human beings were made to crawl or hop on one leg along roads and sweep them with their turbans, places of worship were desecrated, and an attempt was made to terrorise our whole people by methods of frightfulness. Eleven months' preparation for the Premier's 'ruthlessness' and all the careful thought that had gone towards the co-ordination of the military and the police, had borne fruit.

14. "Some allegations have been made that 'Quit Kashmir' and the demand for the abrogation of the Treaty of Amritsar had a communal or communist inspiration. This is a travesty of fact, and I deny and repudiate these allegations. The National Conference is essentially a national organisation, including in its fold all people who agree with its objective, and co-operating with the All-India States Peoples' Conference, with which it is affiliated. It stands in the all-India context for the independence and freedom of India. It stands also for social and economic changes to end privilege and to raise the masses.

15. "It is a small matter whether I am imprisoned and tried and convicted. But it is no small matter that the people of Jammu and Kashmir suffer poverty, humiliation, and degradation. It is no small matter what they have endured during the virulent repression and horror of the past two months and more, and what they are enduring now. These very events have demonstrated the justice of our demand and of our cry 'Quit Kashmir' A system of government that can subsist only by pursuing such methods stands condemned. If my imprisonment and that of my colleagues serves the cause to which we have dedicated ourselves, then it will be well with us

and we shall take pride in thus serving our people and the land of our forefathers.

16. "Kashmir is dear to us because of its beauty and its past traditions, which are common to all who inhabit this land. But it is the future that calls to us and for which we labour, a future that will be the common heritage of all, and in which we as free men and women, linked organically with the rest of India, will build the New Kashmir of our dreams. Then only shall we be worthy of the land we dwell in."







